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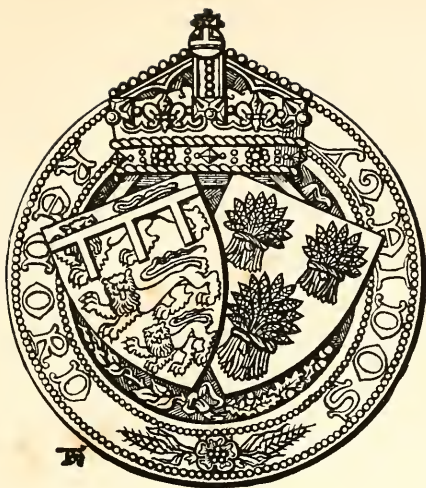
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THE RECORD SOCIETY

FOR THE

Publication of Original Documents

RELATING TO

LANCASHIRE AND CHESHIRE.

VOLUME XXIX.

1896.

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THE
Royalist Composition Papers,

BEING THE PROCEEDINGS OF THE

Committee for Compounding,

A.D. 1643-1660,

SO FAR AS THEY RELATE TO THE

County of Lancaster.

EXTRACTED FROM THE RECORDS PRESERVED IN THE PUBLIC
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J. H. STANNING, M.A.,

VICAR OF LEIGH.

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LANCASHIRE

ROYALIST COMPOSITION PAPERS.

For **Edward Gallard** see **Thomas Barnes**.

John Gardner, of Cockerholme, Husbandman.

(Second Series, Vol. xliii., No. 2,581, fols. 337, &c.)

fo. 327. Delinquency, adhering to and assisting the forces raised against the Parliament. He petitioned 20 April, 1649, and compounded upon a particular which disclosed that he was seized for 3 lives of a cottage and garden in Cockerholme, held of the Lord of the Manor of Cockerholme, worth yearly £2. 3s. 4d. Fine £5. 10s. (24 April, 1649).

fo. 330. Petition.

fo. 331. Particular.

(First Series, Vol. xxii., No. 640, fol. 649.)

He is mentioned in a return of persons sequestrated, dated 27 September, 1655, John Calvert, of the parish of Andrewes, Holborne, Confectioner, being his bondsman in the sum of £5.

For **William Garland** see **Earl of Derby**.

For **John Garner** and **Thomas Garner** see **John Calvert**.

Gabriel Garsid, of Rochdale, Woollen Draper.

(Second Series, Vol. xxiv., No. 1,293, fols. 409, &c.)

fo. 409. Delinquency, having his habitation and living in the King's quarters for some time ; he rendered himself 16 January, 1644[-5] ; took the National Covenant before the Minister of the place where he resided (Milnroe), and for more satisfaction again before Wm. Barton, 29 January, 1646[-7].

He compounded on a particular which disclosed that he was seized in fee to him and his heirs of a certain messuage or tenement lying in Halgh and Butterworth in the parish of Rochdale worth £14 yearly, that there was due to £53. 8s., that he owed £73, and that he had goods to the value of £500 taken from him. Fine £28.

fo. 411. Particular of his estate, names, and in some instances addresses of his debtors and creditors.

fo. 412. Certificate shewing he took the National Covenant before Edw. Butterworth and John Pollett, Minister of Milnroe.

fo. 413. Order signed by Committee at Preston, 24 April, 1646, directing that Petitioner should receive all the issues and profits of his Estate "till further discovery be made to this Committee."

(Signed)	I. BRADSHAW <i>Vic.</i> RIC. HOGHTON, JOHN STARKIE, EDW. BUTTERWORTH, PETER EGERTON,	G. IRELAND, JAMES ASHETON, ROBT. CUNLIFFE, WILLI : KINGE.
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fo. 416. Petition.

fo. 417. "To the That Gabriel Garsid of Rochdale in the County of Lancaster before the beginning of these troublous times stood charged as Guardian

to the heire of his Cousin Henry Garsid of Okenrood in the County and parish aforesaid to make out one souldier which said souldier a little before the seige of Manchester, the then Constables of Rochdale upon warrant from the then Lord Strange being required summoned with others to appear at the Generall Muster held at Warrington by the said Lord Strange (and against the Will of the said Garsid and notwithstanding that Edward Butterworth Esq had taken from the sayd Constables the sayd warrant and inhibited the execution thereof) did force the sayd souldier there to appear as the sayd souldier with others is ready to averre upon oathe.

“ That the sayd Garsid hearing that the sayd souldier marched along with y^e L^d Strange agst Manchester adventured to the Leaguer there to withdraw his sayd souldier, which was done accordingly, and the same Armes were by him employed in the Parliam^{ts} service for which hee furnished seuerall men, which notwithstanding, and though hee had lent a large summe of money on the Propositions and taken the seuerall Protestation Oathes and Covenants aboute a yeare after, and before any Ordinance of Sequestration, a Warrant from Coll. Birch and Col. Asheton, issued out for the seizing and securing of his estate, was executed by private men, who did not only secure, but sequester the whole estate of the said Garsid amounting to the valew of about 500^{li} embezilling and conuerting much thereof to their own priuate use. And not resting therewith content, procured the sayd Garsid to be imprisoned, who thereupon tendred sufficient Bayle for his abode at his owne house, which was refused, whereupon being threatened to bee sent unto Prison 40 Myles from his wyfe and children hee was glad to fly for his liberty, when being incompassed by the Enemy hee was surprised and brought unto Lathum, whence hee tooke his first opportunity to escape, and comeing into the Parliam^{ts} Quarters petiçoned S^r John Meldrum then Generall of theire forces in that County that his grievances might be heard and redressed whenceupon the sayd S^r John Mel-

drum ordered that John Bradshaw Esq and Edward Butterworth Esq two of the Deputy Lieutenants of this County should examine and redresse the grievances in the Petiçõn mentioned, which accordingly they did and set y^e sayd Garsid at Liberty, saueing his Bayle formerly taken and afterwards upon Debate at a generall Meeting of the Committee, y^e sayd Garsid was further heard and an Order thereupon graunted for him to enioy the yssues and profits of his estate reall and personall then left him being but small (as may appeare under the hands of nine of the Coñittee) till a further discouery of the sayd Garsid's delinquency to the aforesayd Committee. The sayd Garsid thereupon enioying his estate with freedome and liberty almost three quarters of a yeare after.

"Neuertheles there being made no more discouery of Delinquency, the sayd Garsid was sequestred by Col. Birch and two others without any heareing or iust triall, Contrary to the aforesaid generall Order and derogatory to the Parliam^{ts} proceedings, for that wee conceiue and make bold to certifie that y^e whole estate of y^e sayd Garsid is not worth aboute £200.

(Signed)

"ALEXANDER NEUTON,	JAMES BUCKLEY,
JOHN CHADWICKE,	JOHN GROOME,
EDW. BUTTERWORTH,	GEORGE MILNES,
JAMES SCOLFIELD,	MATTHEWE BUTTERWORTH,
JAMES COLLINGS,	THO: REDFEARNE."

fo. 419. Certificate signed by Wm. Barton that Compounder took the National Covenant before him 29 January, 1646[-7].

fo. 421. "Coosen,

"The bearer hereof Gabrill Garside is come to London to compound for his delinquency in whose behalf I would entreat yo^r lawfull favor in regard I find noe iust cause of sequestraçõn for noe p^ñsentm^{ts} doe apeare in any file as a ground thereof but a p^ñtence that the weare plundred or lost when y^e enemy was in the Cuntry but

only a note of direction to the Agents w^t he will show you. hee was a tradesman in Rotchdale and is now altogether disabled either for his trad or Composition. he hath dunne as much in the plā^m^{ts} service as any of his neighbours of his estate, his wife was daughter to one of my uncle Bluets [?] daughters, and I am pswaded he nev^y did any thing that might iustly deserve Sequestra^çõn. I pray yo^u aduise him the best yo^u can. I am noe usuall Solicitor for delinquents. I supose his estate is so small that their will arise noe benefit to the publicke & soe exmpted by a late order of the House (as I conceive) he will truly enforme yo^u. further, S^r I, rest

“Yo^r lovinge Uncle to serve you

“Bradshaw 2nd of
January, 1646[-7].”

“J. BRADSHAWE.”

(Superscription.)

“To my Lovinge coosen W^m
Ashehurst Esq^r at his house
in the litle Cloyster in y^e
Abby at Westminst^r
giue this.”

Thomas Garstange, of Brindle, Husbandman.

(First Series, Vol. lxxxii., No. 2,677, fol. 563.)

fo. 563. Petition shewing that two-thirds of petitioner's property had been sequestered for his recusancy; he therefore prayed to be admitted to contract for the same (13 January, 1653[-4]). Referred to Mr. Reading.

Edward Gee, Minister of Eccleston.

(First Series, Vol. lxxviii., No. 2,395, fol. 39.)

fo. 39. Petition, which shewed that the estate of petitioner had only been “secured” and never sequestered, and this upon some pretended charge exhibited against him, and he desiring to have a speedy hearing of the com-

plaints against him prayed for an order directing the Lancashire Commissioners to inquire into the matter (2 March, 1651[-2]). Agreed.

Charles Gerard, Son and Heir of Sir Charles Gerard, of Halsall.

(First Series, Vol. xxii., No. 538, fol. 475.)

fo. 475. Report by Peter Brereton, dated 2 December, 1651, upon a petition of Alice Bowles, relict of Francis Bowles, desiring liberty "to extend the land of Charles Gerard, a delinquent in the County of Lancaster, by virtue of a judgment obtained against Sir Charles Gerard, deceased, father of delinquent."

(First Series, Vol. xxxii., No. 993, fols. 163, &c.)

fo. 163. Petition from John Holcroft, Esq., which mentioned that upon and in pursuance of an Order of 7 December, 1651, the Commissioners for Sequestrations in the County of Lancaster returned an account of receipts and disbursements and also of remaining debts delivered upon oath by petitioner, one of the Trustees mentioned in a lease of the two Manors of Halsall and Downe-Holland (sequestered for the delinquency of Charles Gerard, son and heir of Sir Charles Gerard) dated the 18 December, 1630, made in trust for payment of certain debts mentioned in a schedule thereto annexed, which account was not so satisfactorily perfect as was sufficient to clear some doubts that had been raised. Upon debate of the business, as well before the Commissioners for removing obstructions as before their Honours (the Commissioners for Compounding), and "forasmuch as petitioner through infirmity of body could not travel to London except with danger to his life, and in order that several other material witnesses might have

been produced and pertinently examined, which in respect of disability and the great expense as would be incurred by taking them to Court in person," he prayed that an order might issue to the Commissioners in Lancashire requiring them to examine petitioner and such witnesses as should be brought before them upon such questions as should be pertinent (24 January, 1653[-4]). Prayer granted.

fo. 166. Report and Statement of Account certified by R. Sherwyn, Auditor-General, dated January 18, 1652[-3].

"According to your Order of the 24 December last (annexed) upon the petition of John Holcroft Esq. whereby I was directed to peruse the said petition and examine the Accounts and Certificate therein men^ẽoned and to make Report thereof, I have examined and doe finde

"That the said John Holcroft in pursuance of your order of the 4 Dec. 1651 Exhibited to the Com^{rs} for Seq^{cons} in the Countie of Lancaster an A^ccompt upon oath of all the Moneys made and recyued by Sir Edward ffitton deceased, Radclyffe Gerard, and the said John Holcroft, Esq^{rs}, of and from the Mannors of Halsall and Down-Holland, by virtue of a Lease made unto them by Sir Charles Gerard deceased, bearing date the 18th of December in the sixth yeare of the raigne of the late kinge [1630]. Which Accompt the said Com^{rs} haue Certified upp, and it remaineth with your Register.

"The said Com^{rs} by their Letter of the 23th of November last, remaining alsoe with yo^r Register, doe Certifie that they haue surveyed the said Estate and Rents and doe finde them to be of the yearly value of £135. 05. 00^d. The Accomptant doth accompt for the Lands, Rents, Boones, and Services, after the rate of £200 p ann^l for Eleven yeares. Besides 953^{li} 08^s 04^d for ffines upon Leases graunted to Seuerall Tenⁿts.

LANCASHIRE ROYALIST COMPOSITION PAPERS.

"The State of the Accompts as the same is Certified by the Com^{rs} for Lancashire is as followeth, *vizt*,
the said Lessees are

DEBITOR		CREDITOR	
To Moneys recd <i>vizt</i> for the first profits of the Demeanes and Mills after the Rate of 12 ^{li} p ^r ann ...	1320 00 00	By Moneys paid <i>vizt</i> To Sir Charles Gerrard re- served by the Lease ...	200 00 00
for the Rents, Boones and Services of the tennts at 80 ^{li} p ^r ann ...	880 00 00	More to him upon an Annuity of 20 ^{li} p ^r ann for 8 years ...	160 00 00
for fines for Leases made to Tennants in Halsall & Downe Holland ...	953 08 04	To Mr. Allan Currein, in part of 500 ^{li} ...	300 00 00
		To Sir Thomas Bennett ...	962 00 00
		To Sir Francis Cottington ...	300 00 00
		To Lawrence Whitacre Esq ...	300 00 00
		To Robert Grey ...	360 00 00
		To Mr Leonard Knitt ...	62 12 04
Rests to balance ...	3153 08 04	In satis- faction of Debts ...	2284 12 04
	87 08 08	For the Charge of the funeral of S ^r Charles Gerard ...	70 00 00
	3240 17 00	Into the Court of Wards after his death for the Lands Surveyed ...	70 00 00
		To Charles Gerard Esq ^{re} Sonne to the said S ^r Charles an Annuity of 20 ^{li} p ^r ann for 3 years ...	060 00 00
		In a suite against M ^r Currein... In a suite in the Court of Wards ...	40 00 00
		To the Undersheriffs and Bay- liffes upon severall Outlaw- ries and other works ...	18 00 00
		In Charges at Lawe ...	84 18 00
		At the Halle and other out- housing ...	26 18 00
		In Repaires At the Parke pales ...	88 00 00
		ffor re-building a windmill ...	22 00 00
		To the Bayliffe that managed the Estate at 8 ^{li} p ^r ann ...	40 00 00
		In Salaries or Wages To the keeper of Parke at 6 ^{li} 13 - 04 p ^r ann ...	88 00 00
			73 06 08
			161 06 08
			3240 17 00

“It is likewise expressed in the said Account that there remaines still unpaid the S^{omes} of money following, vizt

Debts which the Lessees think should be paid	{	To Allan Currien in full of 500 th ...	...	...	...	...	200 00 00
		To Mr Francis Stringer ...	...	...	...	...	50 00 00
		To Collonell Richard Standish for Interest paid M ^r Whitiacre ...	...	...	...	...	105 00 00
							355 00 00
Debts by the Schedule annexed to y ^e Lease aforesaid, and the interest of them for 21 years in december 1651 besides what is accrued since	{	To Lady Brereton ...	...	...	...	...	1340 00 00
		To M ^r Bennett ...	...	...	...	...	536 00 00
		To M ^r Morrison ...	...	...	...	...	804 00 00
		To M ^r Gilbert Gerrard ...	...	...	...	...	536 00 00
		To Nathaniel Brent ...	...	...	...	...	134 00 00
		To Doctor Poe ...	...	...	...	...	536 00 00
		To M ^r ffitzherbert ...	...	...	...	...	268 00 00
		To M ^r John Cowdell ...	...	...	...	...	536 00 00
The Some above menconed to be resting to balance	...	...	...	...	...	...	87 08 08
							5132 08 08

“I doe not find in any the papers transmitted to mee why the Accomptant doth Account for noe more than Eleaven yeares profitts when as the Deede by w^{ch} the Lessees clayme beares date 22 yeares since.

“The groundes upon which the Moneys brought to Account as paid haue beene paid together with the Vouchers produced to the Com^{rs} for Lancashire to proue the payment of them, and alsoe the groundes upon which the debts not menconed to be parcell of the Schedule are alleadged to become due are specified in the said Account remainyng with the Register to which I referre.

“Some Deposicions there are alsoe returned with the said Account which being (in my understanding) not any way pertinent to the Account, I have not Reported, but I doe referre to the Depositions themselves and submit the whole matter to considera^{on}.

“January 18, 1652-3 R SHERWYN Aud^r”

fo. 168. Order of reference to Mr. Auditor Sherwyn.

fo. 169. Petition (29 December, 1652), copy.

fo. 172. Petition (no date or order).

fo. 174. Petition (1 January, 1650[-1]). "The same order as in the case of Ardington."¹

fo. 176. Petition (copy of proceeding).

fo. 178. Petition (24 June, 1651). "Rents to stay in Tenants hands" (which was the prayer of petitioner) pending some proceedings.

fo. 180. Petition (29 December, 1652) praying for an examination of the accounts, &c. On this petition Mr. Sherwyn's statement above was made.

fo. 181. Report by Mr. Brereton, dated 27 October, 1651, based upon an order of the 18 June preceding in the case of petitioner. He had perused certain examinations taken by the Commissioners in Lancashire in virtue of an order of the 20 February, 1651[-2] issued by the Commissioners above to examine who then was in possession of Halsall and of Down Holland (between 1630 and 1642) and the then yearly value of it.

He found on the deposition of John Holland that twenty years then about before the date of his Report that Sir Edward ffitton, John Holcroft, and Ratcliffe Gerard enjoyed the Manors of Halsall and Downeholland, and did let and dispose of the profits of the same at their pleasure for the space of four or five years together, he (deponent) being in the employ of the Trustees above named. He deposed that, taking into consideration the charges upon the estate in question, the income did not exceed £100 a year, besides the Tenants' rents; how much those amounted to he knew not, but said if the same were freed from sequestration and other charges that lay upon it, it would have been, at the time the deposition was sworn, worth £200 a year or near thereabouts.

John Mercer deposed that about ten years then since he was servant to Ratcliffe Gerard at Halsall, and that for

¹ This seems to have been to make further enquiries.

the space of five years together before that time he was employed by Ratcliffe Gerard in letting and disposing of the demesne lands of Halsall and Down Holland and accounted to him for the profits. He also estimated the estate to be worth £200 a year, if the same were freed from extents and other great charges, but as the Sheriffs' officers had formerly and then of late often distrained the cattle and other goods within that estate he could [not] express what was the then yearly value of it.

William Hey deposed that about twenty years then ago Ratcliffe Gerard lived in the Hall of Halsall with his family, and he, examinant, by his appointment collected for him "Boone Hennes" and other "Boones" from the tenants, and that, having been a tenant himself in the same manor, he had for twenty years paid his "Boones" to the said Ratcliffe Gerard, and for most part of the said time collected the "Boones" from the other tenants and paid them to the said Ratcliffe Gerard.

The above which he found to be the substance of the depositions taken and certified by the Lancashire Commissioners touching the points referred to in the examinations, was all he found, which he submitted to judgment.

fo. 184. Order of reference to Mr. Brereton (18 June, 1651); petition (same date) "referred to Mr. Brereton."

fo. 187. Report by Brereton, dated 26 January, 1650 [-1], upon an order of the 19 July, 1650, directing him to examine into the title of petitioner to the estate then sequestered for the delinquency of Charles Gerard, Esq. He found that Sir Charles Gerard by indenture, dated the 18 December, 1630, in consideration of £200 in hand paid and for payment of his debts amounting to £3,440, did demise and grant unto Sir Edward Fitton, Bart., Ratcliffe Gerard, Esq., and John Holcroft (the petitioner) the Hall of Halsall and the Manors of Halsall and Downe Holland with their appurtenances for 109 years, rendering £20 rent per annum. Nicholas Leigh, one of the witnesses endorsed, deposed that the said indenture was sealed and delivered by Sir Charles Gerrard, and that the name Nicholas Leigh

was deponent's own handwriting. Henry Atherton deposed that before the desmesnes and other estate at Halsall then formerly belonging to Sir Charles Gerrard, then deceased, were sequestered, he, examinant, collected the rents and received the profits for Ratcliffe Gerrard and John Holcroft, Esqrs., trusted of the said estate. Henry Hesketh deposed that in the beginning of the first wars about 1642 Ratcliffe Gerrard and his family lived in the Hall of Halsall, and, as deponent had heard, the said Ratcliffe Gerrard and John Holcroft, Esq., took the estate of Halsall before the sequestration as feoffees, trusted by Sir Charles Gerrard, deceased, and that he, deponent, knew that the said feoffees jointly with Sir Charles made leases of several tenements, parcel of the said estate, to several persons that then were tenants thereof, and sold part of the said estate to Edward Heskein, Gent., for payment of debts, as examinant had heard and believed.

The examinations of which persons had been in pursuance of an order of the 19 July, 1650, taken by the Commissioners of the County of Lancaster, and copies transmitted to London. The said Commissioners certified that they had been informed by Mr. Peter Ambrose, Agent for Sequestration of that estate, that about the beginning of the first war the same had been sequestered for the delinquency of Charles Gerard, Esq., subsequently called Lord Brandon,¹ son and heir of the said Sir Charles Gerard, party to the said deed; John Wyld, a servant of petitioner's, deposed that in the beginning of the Wars the said manors, lying about four miles from Latham, then a garrison of the King's, the petitioner could not enjoy the same, and that after that garrison was straitened, the petitioner having had notice the Committee for Sequestrations intended to sequester those manors for the delinquency of Charles Gerrard, Esq., he was sent by petitioner to acquaint them that the said estates had been

¹ He had been created Baron Gerard of Brandon in October, 1645, but the patent being dated after the commencement of the war was not recognised by Parliament.

passed over to the petitioner and others for payment of debts, and that he had enjoyed the same accordingly but the deed not then being in his custody he desired them to forbear sequestration, and if he could not produce the deed, he would prove his title by witnesses as they (the Committee) should appoint, and to that purpose had seen and perused several letters written and sent by the petitioner to the said Committee and to Mr. Ambrose, Agent for Sequestration of that estate both before and after the sequestration, and that in or about 1647 the petitioner produced the deed and the sequestration was suspended till the 30th of August, 1649, and then the sequestration at a general meeting at Manchester was discharged, the £20 a year reserved only excepted, since which time petitioner had enjoyed the same until about June then last (1650); and he further deposed that in the first wars petitioner hid or caused his evidences and writings to be hid in several places, to preserve them from the enemy, but whether the said deed concerning Halsall was (during the time that it was wanting) hid amongst his own writings or in the custody of Sir Edward Ffitton or Mr. Ratcliffe Gerrard deponent knew not.

So it was submitted to judgment whether the said deed ought not to be allowed and petitioner permitted to take the profits of the premises until the said debts of Sir Charles Gerrard were satisfied, the sequestration for the delinquency of Charles Gerard, Esq., notwithstanding, if upon petitioner's account it should appear the said debts had not then already been paid (26 January, 1650[-1]).

fo. 189. Order (19 July, 1650) referring the case for examination to the Lancashire Commissioners.

fo. 191. Petition (no date or order).

fo. 193. Deposition of John Wylde, servant to John Holcroft, Esq.

fo. 195. Communication, dated at Preston 13 September, 1650, signed by Peter Holt, Robt. Cunliffe, and Geo. Pigot, mentioning the steps taken by them and enclosing copies of examinations and other matters.

fo. 197. Examination of Nicholas Leigh, of Ormskirke, Gent., taken at Preston, 23 August, 1650, and of Henry Atherton, of Halsall, yeoman, and of Thomas Hesketh, of Halsall, yeoman.

(First Series, Vol. xxix., No. —, fols. 498, 499.)

fo. 498. Contract ; the Trustees for the Sale of Land and Estates by an order of the Council of State dated 22 June, 1653, were required to settle upon the widow and children of Richard Deane, Esq., late then one of the Generals of the Fleet, lands of inheritance of the clear yearly value of £600, out of the estate of Charles Gerrard, Esq., of Halsall in the co. of Lancaster, and they did on the 29 December, 1653, contract with the said Mrs. Deane for the purchase of the Manors of Halsall and Down Holland, part of the Gerrard estate in Lancashire, and orders were given to the Sequestrators of the County to permit Mrs. Deane quietly to enjoy the property so contracted for.

fo. 499. "Wednesday 22 June 1653

"At the Councell of State at Whithall

"ORDERED,

"That the Trustees for Estates forfeited to the Coñionwealth for Treason sitting at Drury House or any five them be hereby authorized and settle upon the widdow and children of Richard Deane Esq late one of the Generalls of the ffleet, Lands, to the value of Six hundred pounds p anñ out of the estate of Charles Gerrard of Halsall in the County of Lancaster Esq And in Case that Estate fall short of the full proportion aboue-said, then that the Remainder of the Six hundred pounds p anñ may be made up either out of the estate of *Christopher James*¹ Anderton of Clayton or of John Greenhow of the said County of Lancaster Esq^{re}

"And that the Com^{rs} for Compounding doe take off the Sequestration from soe much of the said Estates as shall

¹ The word "James" has been inserted by another hand over "*Christopher*," and the latter underlined but not erased.

be appointed by the said Trustees in satisfaction of the said Six hundred pounds p ann̄.

“E.” (Signed) “JO. THURLOE Secr.”

(First Series, Vol. xxix., No. —, fol. 275.)

fo. 275. Petition from Charles Gerard of Hallsall, Esq., which shewed that his name had been inserted in the last additional Act for sale ; he prayed to be allowed to contract for the same (16 June, 1653). Referred to Mr. Reading to report.

(First Series, Vol. ci., No. 4,070, fols. 81, &c.)

fo. 93. Letter, dated at Preston 23 November, 1652, signed by E. Aspinwall, John Sawrey, and Robt. Cunliffe, mentioning that in observance of an Order made . . . December, 1651, upon a second Report of Mr. Brereton in the case of John Holcroft, Esq., one of the feoffees of a trust in Sir Charles Gerrard's estate, they had taken the account of petitioner upon oath of what he had received out of the Hall of Halsall and the Manor of Halsall and Down Holland since the date thereof made by Sir Charles Gerrard, being the 18 December, 1630, and what had been paid to the creditors according to the Order aforesaid (accounts enclosed).

They had likewise surveyed the estate and found it to be worth £135. 5s. a year. They had also taken some examinations on behalf of the Commonwealth, copies of which they also enclosed.

fo. 81. Examinations taken at Preston, 21 November, 1652, on behalf of the Commonwealth.

Richard Simkin, of Halsall, aged fifty years, sworn, said that after the death of Sir Charles Gerrard, then deceased, Charles Gerrard, Esq., his son and heir, Radcliffe Gerrard, Esq., and Peter Traves, clerk, sealed a lease, as he believed, of four acres of ground in Halsall to Richard Halsall for a certain term, deponent had seen the lease, that it had been

in his hands for some time for the purpose of drawing an assignment of the same to Mr. Johnson, Minister at Halsall, but what power Mr. Gerrard and the others had to make the lease he knew not. Edward Simkin, of Halsall, husbandman, aged fifty-two, deposed to the like effect.

fo. 82. Henry Atherton, of Halsall, sworn, said that he had heard that shortly before his death Sir Charles Gerrard charged his estate with £40 a year to his two sons Edward and Gilbert and to his daughters Ann and Charlotte, until they should have £500 each, and deponent said that after the death of their father they each received something out of the estate until it was sequestrated ; how much he knew not.

fo. 83. Henry Simkin, of Down Holland, yeoman, aged seventy-four, said that about fourteen years then ago Sir Charles Gerrard built a windmill in Halsall, and that he felled timber in his own woods for the purpose.

William Fazackerley, of Halsall, carpenter, aged thirty years, said that about four years then ago he had been employed in the repairing of the Hall of Halsall, and the out-buildings, and in fencing some part of the demesne, and had for his wages 22s.

Henry Simkin, of Down Holland, said that in the years 1648-49-50, Edward, son of Sir Charles Gerrard, with Lucy, his wife, enjoyed certain parcells of the said Sir Charles's lands towards the satisfaction of his portion, which had been given to him by a deed made at York, wherein Mr. John Holcroft and Mr. Radcliffe Gerrard were feoffees, as deponent had heard, for the use of the sons and daughters of the said Sir Charles, and said that the profits of so much of the said estate as was in the possession of the said Edward as aforesaid would amount to £27 towards satisfaction of his portion.

fo. 85. Names of tenants who fined with the feoffees and the amounts each paid, showing a total of £953. 8s. 4d.

fols. 86-92. Petitioner's account of receipts and disbursements, exhibiting an expenditure of £87. 15s. 4d. more than received (£3,153. 8s. 4d.), and a list of sums then still

owing, names of creditors, sums due to each, total £5,168. 15s. 4d. Names of a great many persons appear in these accounts.

fo. 95. Examinations taken at Preston, 9th April, 1651, in the case of petitioner touching his title to the Hall of Halsall and Down Holland, of Henry Fazackerley, of Downeholland, aged fifty-two, of John Holland, of Halsall, and

fo. 96. of John Mercer, of Aughton, husbandman.

fo. 99. Letter, dated at Preston, 9 April, 1651, on the same matter, enclosing examinations, &c.

(First Series, Vol. xxxii., No. —, fol. 347.)

fo. 347. Petition from Henry Hill and Peter Booth, of Scaresbrecke, and Nicholas Charles, of Halsall, which shewed that, when the delinquents' estates within Derby Hundred were to be set, petitioners intended to have taken the estate of Charles Gerrard, Esq., of Halsall, and for that purpose delivered to William Eccleston, the Agent for Sequestrations in that Division, a ticket to pay yearly for the said estate for the year £19. 15s., which was a greater sum than any other ticket then given in for that estate amounted unto, yet notwithstanding petitioners were deprived of the said estate, and it had been set unto one Chrichlowe (who was employed by the said agent in the sequestrations) and his partners for £2. 4s. under the sum offered by petitioners yearly. As the said Chrichlowe had then since passed off his interest in the estate to others for the said term for £90 profit, petitioners addressed themselves for relief to the Commissioners in Lancashire, but in vain, so they prayed that the Commissioners would be pleased to take into consideration the above and grant an order that petitioners might for their money enjoy the said estate according to their delivery in of the largest ticket, so might the State be advantaged; and petitioners further engaged ever to pray, &c. (5 May, 1652). "The Com^{rs} to certify what they know forthwith." Endorsement:

"This was sent to me inclosed in a letter from Mr Massey out of Lancaster.

"THO FFOWLE."

(First Series, Vol. lvii., No. 1,837, fols. 515, &c.)

to. 515. Petition from Henry Symkin, of Barton and Culcheth, which disclosed that petitioner had taken a lease for a term of seven years from the Commissioners of Sequestrations for Lancashire of the Manor House or the capital messuage of the Manor of Halsall, sequestered from Charles Gerard, Esq., with desmesne and other lands usually let with the same, and a water corn-mill with a windmill at Halsall, paying a yearly rental of £90. 11s. 0d. as by the lease appeared. Prayed that as the lease had been prepared in accordance with their instructions (the London Commissioners) they would confirm the same (19 October, 1652). "The Com^{rs} to certify and as in like cases we shall give further orders."

fo. 519. A similar document without date.

Edward Gerrard, of Aughton, Husbandman.

(First Series, Vol. xxix., No. 899, fol. 272.)

fo. 272. Petition, which shewed that two third parts of his estate had been sequestered for his recusancy only, and that by a then recent Act he might be empowered to compound for the said two third parts, which he humbly prayed to be allowed to do. (18 January, 1653[-4]). Referred to Mr. Reading to report.

Lady Elizabeth Gerard.¹

(First Series, Vol. xxix., No. —, fols. 435, &c.)

fo. 435. Petition from Dame Elizabeth Gerard (then wife of Phillip Wenman, of Ashton, co. Lanc., Esq.),

¹ Widow of Dutton, third Baron Gerard, and afterwards wife of Philip Wenman, Esq., who succeeded as third Viscount Wenman in January, 1664, and died in April, 1696. She was daughter of Henry, Earl of Thomond, in Ireland. Her will was proved 30th June, 1658.—*Complete Peerage*, by G. E. C.

Elizabeth Gerard, her daughter, Charles Visc^t Cullen, Patricke FfitzMorice Lord Kerry, William Lord Brereton and Richard Newdegate, Esq., trustees for the said Lady Gerard and her daughter, which shewed that Dutton Lord Gerard did by several assurances settle divers manors and lands in the County of Lancaster upon certain feoffees in trust for petitioner Lady Gerard and her children by the said Lord Gerard. All which were by good assurance in April and May, 1643, by and with the consent of the said Phillip Wenman (her then husband) before marriage (declared by his being party thereto) settled and assured to petitioners, trustees for the said Dame Elizabeth and her children, and the trust declared not to Mr. Wenman but as the said trustees should direct and appoint.

Petitioners, finding by an order of the Council of State, dated 13 March then last (1651[-2]) that the Lancashire Commissioners were to seize and secure Mr. Wenman's estate amongst others in the said county, which they not only had done but had also seized and secured the said lands and certain household goods and heirlooms at Ashton Hall, limited amongst other things by Thomas Lord Gerard by his deed of entail to remain and come to the heirs of the said Lord Gerard for ever, as by the deed and an inventory of the goods appeared, and having by their counsel been informed that the said Mr. Wenman was neither in law nor equity entitled to the disposal of the said land, goods, and heirlooms, and that the same ought not to have been seized or secured for any act of his, prayed for an examination into the matter (3 June, 1651). "The Com^{rs} in the Contrie to certifie and Mr. Brereton to report.— R. M., J. B."

Henry Gerard, of Newton, Gent.

(First Series, Vol. xxix., No. —, fols. 282, &c.)

fo. 282. Petition, which shewed that petitioner's whole estate since January, 1649[-50], to date of petition by some

information had been seized and secured upon some charge of delinquency, without any directions from the Commissioners for Compounding. Prayed therefore for an order directing the Commissioners for Lancashire to certify whether his estate was sequestered for delinquency before January, 1649[-50]. (No order at foot.)

fo. 286. Petition (31 December, 1650).

"To have heads of the charge, names of witnesses, &c., liberty to Examine and Certify, &c."

Henry Gerrard, Son of Henry Gerard, of Newton, an Infant.

(First Series, Vol. xxix., No. —, fol. 283.)

fo. 283. Petition, which shewed that petitioner's father's estate had been sequestered, and that petitioner was an infant under the tuition and guardianship of James Winstanley, Esq., Joseph Rigby, Henry Blundell, gent., and Ann Rigby, spinster, his cousins and guardians, and was left destitute of maintenance.

Prayed for an allowance of a fifth part of his said father's sequestered estate, with arrears from 24 December, 1641. (18 February, 1650[-1].) Granted.

(First Series, Vol. ix., No. 239, fol. 511.)

fo. 511. Petition from Henry Blundell, of Preston, gent., Thomas Blackborne, John Lander, and Wm. Gerrard as feoffees for the use of and on the behalf of Henry Gerard, of Newton, an infant, which shewed that Elizabeth Walton, the infant's mother, before her intermarriage with Henry Gerrard, his father, being seized in fee to her and her heirs of certain tenements in Leyland worth 48s. 6d. a year, two parts whereof were sequestered for her recusancy supposed, though never convicted of any recusancy; that ter their marriage and the birth of the said infant, the 17

October, 1648, the said Henry and Elizabeth made a lease of the premises for a term of 200 years then next following to petitioners who were ffeoffees in trust for the use, maintenance, and education of the said infant ; that the 11th of November following the said Elizabeth died, after which the sequestration ought to have been determined, and the rents, profits, &c., of the said messuages and tenements of right belonged to the ffeoffees for the uses aforesaid, who were and had been conformable to the religion established, and were well affected to the Parliament. The said infant being then as yet only three years old was being brought up in the Protestant Religion, and petitioners had petitioned the Commissioners of the County of Lancaster to discharge the sequestration and to admit them to receive the rents, &c., who refuse to do the same until your honour shall so direct and order the same.

Prayer, that directions might be sent to the Committee and Sequestrators of Lancashire to free and discharge the said lands, and to permit petitioners to receive the rents, &c. (27 May, 1651). Referred to the Commissioners to examine and certify, &c.

James Garrard, of Ince.¹

(First Series, Vol. xxix., No. —, fol. 439.)

fo. 439. Petition (3 March 1651[-2]), in which he prayed for an examination into the case against him. Granted.

See also under **Thomas Johnson**.

¹ James Gerard, of Ince, "son and heir of Myles Gerrard, late of Ince, deceased," was admitted to Gray's Inn, March 6, 1646. This can hardly be the Myles, father of Thomas Gerrard, of Ince, Esq., for this latter Myles appears to have been buried at Wigan, April 9, 1618. (See "History of Wigan Church," *Chetham Society's Publications*, N.S., Vol. xvi. p. 254*n*.) An inventory of the goods of Miles Gerrard, of Newhall [Ince], parish of Wigan, was filed at Chester in 1641, and this Miles would probably be father of James above.

John Gerard, of Brindle.

(First Series, Vol. c., No. 4,059, fol. 601.)

fo. 601. Letter dated at Preston, 12 December, 1651, mentioning that by an order of the 15 October, 1651, made upon the petition of George Purefoy, of Belgrave, in the County of Leicester, touching a messuage in Brindle, then late in the tenure of John Gerard, a recusant, deceased, they were required to certify when the said messuage and tenement was first sequestrated, and from whom and for what, and how the same came to be discharged, with the cause of reseizing thereof, and whether John Gerrard were dead, and if so, when he died. In observance thereof they certified that the premises were sequestrated in 1643 for the recusancy of the said Gerrard, and that he dying in 1644 the same were discharged by the then Committee as the estate of the said Mr. Purefoy, and so continued till, finding them to have been discharged only by the Lancashire Commissioners, and not by an order from above, they had caused them to be secured, and no order having been brought for the discharge thereof at the end of the three months from the time of securing the same, the profits, &c., were secured for the use of the State.

(First Series, Vol. lii., No. 1,615, fol. 327.)

fo. 327. Petition from George Purefoy, of Belgrave, Co. Leicester, by which it appeared that the Countess of Devonshire, Sir William Crayford, Knt., James Maxwell, and John Crag, Esqrs., by indenture dated 27 April, 1633, demised to petitioner, in consideration of service by him done and then to be done for the said Countess, all that messuage, farm, or tenement, with the appurtenances, situate in the parish of Brindle, in the County of Lancaster, called Slack-hall, then in the tenure of John Gerrard, to hold for 80 years from the death of the said John Gerrard, if petitioner

so long lived ; that the premises were sequestered for the recusancy of the said Gerrard, who died in 1644, after whose death the premises became vested in petitioner, and by order of the then late Committee dated 24 January, 1644[-5], the Agents of Sequestration there were ordered and required to desist from seizing and sequestering the said farm and to permit petitioner to enjoy the same, which he had done until it was reseized by the new Commissioners. Petitioner prayed for an examination of his title. (No order or date on this document.)

fo. 329. Affidavit of Jo: Hanson, gent., touching the execution of the deed dated 27 April, 9 Ch. I. [1633].

fo. 331. Communication dated at Preston, 12 December, 1651, signed by Edward Aspinwall, Robt. Cunliffe, and G. Pigot. In reply to instructions they certified that the mesuage was first sequestered in 1643 for the recusancy of John Gerrard, and he dying in 1644 the sequestration was discharged, and so remained until the new Commissioners found that the discharge was only by order of the Lancashire Committee, no order from above having been received to discharge it.

In pursuance of instructions from above the estate had been "secured," and as no order of discharge had been produced to them within the three months from the time of securing, the profits for the then current year were received to the use of the Commonwealth.

Ratcliffe Gerard, of Barton, Co. Lancaster.¹

(First Series, Vol. xxix., No. —, fols. 425, &c.)

fo. 425. Delinquency, being in arms against the Parliament ; but he had laid them down in 1645 ; he petitioned 23 March, 1646[-7] ; took the National Covenant

¹ Brother of Sir Charles Gerard of Halsall, and uncle of the first Lord Gerard of Brandon.

before William Barton, minister of John Zacharie's, 4 March, 1646[-7], and the Negative Oath before the Committee of the Militia in London 12th of the same month. He compounded on a particular which disclosed that he had a right to an annuity of £40 a year for life issuing out of lands in the Counties of Gloucester, Somerset, and Monmouth, which had been in arrears for 12 years then past, and in connection with which there had been and then was a suit depending. He desired that he might be respited for his composition until he should have recovered the said arrears by law or otherwise.

His then late brother Sir Charles Gerard owed him £440, which was charged on lands belonging to Sir Charles, then under sequestration for the delinquency of his son. Petitioner stood indebted to several persons in a sum total of £200.

fo. 428. Petition (23 March, 1646[-7]). Referred to the Sub-Committee.

fo. 429. Particular of his estate, assets, and liabilities. He owed the £200 to two persons, Capt. Hugh Massey £100 and Mr. Bridgeman £100.

fo. 431. Certificate dated at Guildhall, London, 12 March, 1646[-7], signed by Adam Banckes, clerk to the Committee of the London Militia, certifying that petitioner had taken the Negative Oath on that day.

fo. 433. Certificate signed by Mr. Barton that he took the National Covenant as mentioned above.

(First Series, Vol. xxxvii., No. —, fol. 665.)

fo. 665. Petition from Anne Leigh, of Barniker, widow, which shewed that Sir Charles Gerard, Knight, by indenture dated 18 December, 1630, granted the Manors of Hallsall and Downe Holland *cum membris* to Sir Edward Fitton, Barronett, Radcliffe Gerrard, and John Holcroft, Esqrs., for 109 years for payment of debts in a schedule annexed; that the said Sir Charles and the rest by their indenture dated 28 April, 1631, granted one messuage and

two cottages lying in Barton in Downe Holland to Richard Leigh, petitioner's late husband, for 99 years if three lives so long lived at a rental of £10 yearly; that the said Radcliffe Gerrard being tenant at will to petitioner's husband for the said messuage and cottages, and having them in his possession the same thereupon became sequestered for his delinquency, and so continued notwithstanding that petitioner should, as surviving executrix of Sir Richard Leigh, have enjoyed the same. As the Lancashire Commissioners refused to discharge the premises, she prayed for an order desiring them to take the examination of such witnesses as she should produce, and to certify the same, so that the whole proceedings might be referred to Counsel (26 December, 1654). "The Com^{rs} to ex. and certify and Mr. Reading to Report. R. W., R. M."

Richard Gerard, of Bryn, Esq.¹

(First Series, Vol. lxxii., No. 2,277, fols. 551, &c.)

fo. 551. Report² by Mr. Reading on an order dated March 26, 1651, based on a petition of James Winstanley, Esq., desiring an annuity of £100, purchased by petitioner of Richard Gerrard, of Garswood, Esq.

fo. 553. Order referring case to Mr. Reading.

¹ Second son of Sir Thomas Gerard, second baronet, born October, 1613. At the age of twenty-one he went into Maryland, where he purchased estates. He returned in 1635, and in 1638 went into the service of the King of Spain in the Low Countries. After this he received a Commission as lieutenant-colonel of a regiment of foot-guards in the Royal Army, and served through the war in England until the surrender of Oxford, and afterwards attended the king when a prisoner in Hurst Castle. He was the last person sent by the king to the queen, then in France. He was Cup-bearer to the queen, and after the Restoration Cup-bearer-in-ordinary to Charles II. He died at Ince, which he had purchased from his cousin, Thomas Gerrard, Esq., September 5, 1686. He was the founder of the second line of the Gerards of Ince, which became extinct in 1805.

² Mutilated: no date or ending.

fo. 555. Petition, which disclosed that Mr. Gerrard by deed dated 2 February, 1649[-50], did, for a valuable consideration, sell to petitioner an annuity of £100 a year, issuable out of the lands called the Brinn, for and during the life of the said Richard, which petitioner enjoyed.

That the Lancashire Commissioners had "secured" the said annuity by forbidding the tenants to pay any more money to petitioner, upon pretence that Gerrard was a recusant, of which he had long then previously cleared himself before the Commissioners in London; petitioner therefore prayed that his title might be examined, so that he might be able to enjoy his annuity (24 March, 1651 [-2]). Referred as above.

fol. 557-571. Various documents connected with the case.

(First Series, Vol. xcix., No. 3,959, fol. 301, &c.)

fo. 301. Letter dated at Preston, 13 December, 1650, signed Robt. Cunliffe and G. Pigot, informing the Commissioners above that amongst other sequestered estates freed upon composition before the Commissioners at Goldsmiths' Hall they found the estate of the above, being a rent charge of £100 a year, issuable out of his brother, Sir William Gerard, a papist delinquent, to have been freed from sequestration, whereupon, they being unwilling to pay any rent charge without special instructions, but also because they considered him to have been a papist, and therefore not capable of Composition, gave orders in July then last to stay the said Rent Charge, but also summoned him to appear before them on the 7 August then last past to take the Oath of Abjuration, which summons was left at Brynn (then, as they conceived, his usual place of residence). But as he never appeared before them, they desired the resolution of the Commissioners above for their further proceeding therein.

[*In the margin.* "To continue the seizure [till] he cleare himself of Recusancy."]

(Second Series, Vol. xxxii., No. 1,763, fols. 839, &c.)

fo. 839. Delinquency ; that he was in arms against the Parliament, and in Oxford at the time of the surrender, He was to have the benefit of those Articles, as by Sir Thomas Fairfax's Certificate without date doth appear.

He compounded on a particular which disclosed that he was seized of an annuity of £100 a year for life, issuing out of certain lands and tenements of Sir William Gerrard's, his brother, lying and being in Bryn aforesaid.

Personal estate none.

" 31 March, 1648. Fyne 100^{li}."

fo. 842. Petition, in which he states he took up arms and went to Oxford, and was made an officer of the garrison there ; was there during the siege and at the surrender, and was comprised in the articles agreed thereupon.

fo. 843. Particular of his estate.

fo. 845. Pass signed by Sir Thomas Fairfax, with his usual seal in red wax, to all whom it may concern, to suffer bearer, Richard Gerard, Lieutenant-Colonel in the Queen's Regiment, to pass to London or elsewhere.

Thomas Gerrard, of Aughton, Gent.¹

(First Series, Vol. xxix., No. —, fols. 354, &c.)

fo. 354. Petition, which shewed that petitioner claimed to have ever been faithful to the Parliament and to their just proceedings, although, in the beginning of the war, he was enforced (having been one of the Trained Bands) to

¹ Son and heir of Miles Gerrard, of Aughton, gent. (who died December 28, 1616) ; he was admitted to Gray's Inn, March 1, 1617. His will was proved at Chester in 1671.

bear arms for a short time in the County of Lancaster, where he resided, being then under the power of the enemy, for which cause he was sequestered; he was advised by counsel to, and did, compound, and paid a fine of £80, being the full value; which was confirmed by both Houses of Parliament; and he had received his order of discharge on the 4 January, 1647[-8]. The Commissioners in the County allowed the same 2 February following. Petitioner had since enjoyed his estate until then recently the Commissioners in the County, in pursuance of general instructions, secured his premises upon a pretence that he was a recusant, whereas the contrary appeared by several affidavits annexed to petition. Yet so it was that petitioner, by that and by reason that the whole money of his fine was then due by him to the State, having been secured on his property, and being otherwise then much indebted, dared not return to his own County for fear he would have been laid in prison, and hence he, his wife, and 13 children were forced to beg their bread. He therefore prayed for an order discharging his estate (14 January, 1651[-2]). "Upon reading this petiçon &c. & for y^t it appears in the books of Convict recusts y^t &c. and if it appeare to the Com^{rs} in y^e Countrey y^t it is y^e same Tho. Gerard y^t they forthwith lay on the Seqⁿ (if not already done) if not to certify w^t they finde."

fo. 356. Certificate dated 15th January, 1651[-2], signed by Thomas Fowle (Solicitor to the Commissioners for Compounding), that he found in the books of Seizures and Compositions of convicted recusants in his custody, that Thomas Gerrard, of Aughton, yeoman, had formerly been convicted of recusancy. Compounded the 2 February, 1636[-7], with the then Commissioners for his lands in Aughton, Ormschurch, and Aston-in-Mackerfield, and for his personal estate, whereof there had been a seizure in the 8th of Ch. I. (1632[-3]).

fo. 358. Petition (14 January, 1651[2]). Copy.

Petition, 21 July. "Upon reading this petition & y^e Auditor for Lancaster, Rich: King makeing oath y^t he was

not sequestered before Decembr. 1651, it is ordered y^t y^e estate bee discharged from Sequestračon."

fo. 362. Dated 3 July, 1652. Receipt for the £80 fine.

fo. 363. Certificate that petitioner on the 30 April took the Oath of Abjuration before Robert Cunliffe and G. Pigot.

fo. 365. Reference of the case to the Lancashire Commissioners (14 January, 1651[-2]).

fo. 367. Certificate signed by Jo: Leech, dated 30 June, 1652, as to the fine having been levied on May 21, 1646, and was so reported on the 7 March, 1649[-50].

(First Series, Vol. xxix., No. 899, fol. 263.)

fo. 263. Deposition of Thomas Gerard, of Aughton, which disclosed that, on Saturday the 27 September then last (1651), he had received, from the Agent for Sequestrations of the Division petitioner's estate lay in, a warrant under the hands of the Commissioners of Sequestrations, to appear before them on Wednesday, the 1st day of October then following, at Preston, to show cause why his estate should not be sequestered; that upon the producing of the order for his discharge and acquittances upon his composition and money paid, it was alleged (as deponent then understood), he being somewhat hard of hearing, that his wife was a recusant, to which deponent replied it was true, but he could not help it; thereupon he was commanded to withdraw and returned home, not doubting or expecting to be further questioned for anything that he had either said or done, until the time he was served with an order for securing his estate; as concerning his own conformity he had been brought up in the Protestant Religion, according to the Laws of England; he was conformable to the Church and Commonwealth of England "as the same is now established" to the best of his knowledge, and had taken and subscribed the "Engagement" as by a certificate appeared. (Sworn before the Commissioners 18 December, 1651.)

(First Series, Vol. xxix., No. —, fols. 331, &c.)

fo. 331. "Right ho^{ble} and right wor^{ll}

"Theise are to certifie all to whome theise p^sents shall come or may concerne, that wee whose names are subscribed are credibly informed and partly knowe that by force of one parchment writing executed under the hand and seale of Thomas Gerard of Aughton in the county of Lancaster, gent. bearing date the xvith day of October Anno primo Carolj Regis Anglie [1625] there is fortie shillings due to John Gerard yeoman unkle of the said Thomas Gerard and paieable to the said John Gerard during his natural life & issuing from forth and out of some lands of the said Thomas Gerard lyeing in Aughton & Ormiskirke parish w^{ch} Anuitie is yearlie due to the said John Gerard dureing his natural life and for more certaintie to be giuen to the p^smesses wee haue hearunto subscribed our names the xxjth day of January Año Domini 1646. Añoq Regni Carolj Anglie etc.

"Ita Testamu^r

"JAMES WORRALL Pasto ^r	WILL LONGLEY,
of Aughton,	WILIAM BASTWELL,
ROBERT WELCH,	THO. HESKETH,
ROBERTUS BICURSTETH,	HENRY PARKER."

fo. 333. William Hamson, of Prescott, in the County of Lancaster, Gent., deposed and said that about February, 1643[-4], he then being Marshall to the late Hon^{ble} Coloneil Moore, then Governor of the garrison of Liverpool, Thomas Gerrard, of Aughton, in the said County of Lancaster, Gent., amongst sundry others was brought prisoner into the said garrison and committed into deponent's custody, during which time Thomas Gerrard frequented the church of Liverpool, joined with the congregation there in prayers, hearing the word, and receiving the sacrament from the hands of Joseph Thomson, then Minister there, and deponent further said that he never knew the said Gerrard to be a recusant

at any tyme, and that he had known him ten years or thereabouts.

(Sworn before the Commissioners for Compounding, December 31, 1651).

fo. 335. William Smith, of Snape, in the County of Lancaster, deposed he had been with Thomas Gerrard, of Aughton, gent. in Wigan, Ashton, and Formeby, and was fully informed and satisfied by sundry persons that he (deponent) had conversed with, that the yearly rent belonging to Mr. Gerard, issuing out of land in Wigan, is £3. 6s. 8d. "being a quit, or dry, unimproveable rent for all the estate the said Thomas Gerard had there."

In Ashton, 20s.; in Formeby, 30s. (Sworn 17 May, 1648, before Tho: Benet.)

fo. 338. "Theise are to certifie all those whom theise presents shall come unto or may concerne, that forth and out of the lands belonging to Thomas Gerard of Ince in the County of Lancaster Esquire lyinge in Wigan and territoryes thereof in the said County

"There is yssueinge out of the same onlye a yearly rent of £3. 6. 8. payable to Thomas Gerard of Aughton in the said County, gent. and his heirs for ever which yearly rent is and hath beene reputed and taken as a rent secke, or dry quite rent, and unimprovable and not recouable but by suite in Law, as we Conceive; all w^{ch} att his instance wee whose names hereunder subscribed make bould to testifie under our hands this nyneteenth day of January, 1646[-7].

(Signed) ROBT MARKLAND, Maior de Wigan.

CHR. BANCKES, WILLM. PILKINGTON,

JOHN BAGHOUSE, LAWRENCE FFORDE.

NIC. PENNINGTON,

AMBROSE JOLLYE.

ALEX. TOMPSON.

March the 28th 1648.

WILLM. TEMPEST }
EDW. ORMISHAW } Balieffs.

JOHN HARVVE }
THO. BANCKES } Balieffes.

ROBT BRIGGS }
WILLIAM WATSON } Seriants."

fo. 339. "These are to Certifie all those to whome these presents shall come unto or may concerne, that a yearly rent of Twentie shillings hath heretofore beene payable to Thomas Gerard of Aughton in the County of Lancaster genⁿ fforth and out of the lands now in the possession of John Ashton and Wifm Ashton of Ashton in Makerfeild in the said County yeo: lyinge in Ashton aforesaid w^{ch} is and hath beene for sundry yeares now past in suite and undetermined; these wee make bould to Certify. Given under our hands the Twentieth day of January 1646[-7].

(Signed) "PETER PARR,
HUMFREY WINSTANLEY,
RICHARD LYON,
JOHN TON,
THOMAS NAYLOR,
THOMAS GREENEHALGH."

fo. 341. A similar declaration relating to the lands in Formby, signed by William Formby, Robert Formby, Hugh Marsh, Ralph Birchall, William Hodgson. (All by their "marks.")

fo. 342. Certificate relating to a cottage in the suburbs of the city of West Chester.

(Second Series, Vol. xxxv., No. 1,918, fols. 306, &c.)

fo. 306. Delinquency; when the Earl of Newcastle was master of the County, compounder deserted his dwelling and went and lived for a month in the enemy's quarters. He compounded upon a particular which disclosed that he was seized in fee of a messuage to him and his heirs in possession lying in Aughton, worth yearly £14. 13s. 4d.; also of a like estate in old rents issuing out of lands lying in Aughton, Ormeskirke, and Walton, worth yearly £3. 17s. 6d.; also of a like estate in the parishes of Wigan, Ashton, and fforneby, worth £5. 10s. yearly. (He alleged that he was in suit for some of these, and the rest "denied him, and will not be had without suit in law.") He owned a cot-

tage in Chester "neere the Walls," worth before the troubles yearly 20s., alleged to have been ruined by fire. Fine £80.

fo. 308. Petition, in which he refers to a desire he had expressed to have the proceedings reviewed, but found he could not get that done until he had paid a moiety of the fine imposed. He states he now had done this, and prays a reference to report the true state of the business and the mistakes of the former proceedings.

fo. 312. Petition in which compounder states the errors he committed in filling up his former particular. The actual difference between the sum he now wished to compound for and the former, was the difference between £14. 14s. 2d. per annum and the sums stated above.

fo. 313. Order granting a review of the proceedings.

fo. 315. First Petition (13 May, 1646).

fo. 316. Deposition by compounder, sworn 14 May, 1646, that he took the National Covenant at the hands of Mr. Joseph Thompson in February, 1643[-4], he then being minister of Liverpool; also that in November or December he took the Negative Oath before the Committee at Preston. Compounder exhibited the certificates and other papers on Monday preceding the date above, but since had lost them with other papers.

fo. 318. Certificate dated 11 May, 1646, signed Wm. Barton, minister of St. John Zecharie's, London, shewing that compounder had taken the National Covenant before him on that date.

fo. 320. Particular of his estate.

fo. 323. Affidavit, sworn 25 September, 1646, by compounder, exhibiting the differences in the yearly values caused by his mistaking the nature of his interest in the lands, &c., which he held, on fo. 312. Fine £80, mentioned; apparently, therefore, on the review the original levy was confirmed.

Thomas Gerard, of Ince, Esq.¹

(First Series, Vol. lii., No. 1, 597, fol. 23.)

fo. 23. Petition from Dame Elizabeth Plumleigh, wife of Thomas Gerrard, of Ince, co. Lanc., Esq., and of Elizabeth and Dorothy Gerrard, daughters of the said Gerrard, which states that the estate of the said Thomas Gerrard had long then been sequestered for his recusancy and supposed delinquency, and he had for a long time been on his appeal before the then late Committee of Lords and Commons for Sequestrations, and at this time before the then Chief Baron and other Commissioners for Appeals, endeavouring and hoping to discharge his said supposed delinquency; petitioners, not having had the fifth part of the estate allowed them, were utterly impoverished, so they prayed for an order to obtain the same, which was granted. (31 May, 1650.)

(First Series, Vol. xxix., No. —, fol. 343.)

fo. 343. Petition, which shewed that petitioner had "a Delph or Myne of Cannell coale" in Aspull in the said county, and could not "get" the same without making a trench through some lands adjoining, being the inheritance of a Mr. Gorsuch, and therefore petitioner agreed to pay him and his heirs £20 a year for a term then enduring for the use of the said trench and other liberties, and petitioner's lands in Ince and Aspull were charged with the payment of the said £20 to one James Gorsuch, who was a delinquent, and the petitioner theretofore had

¹ Son and heir of Myles Gerard, of Ince, Esq. He was twenty-two years of age in 1613. Admitted to Gray's Inn, November 21, 1608. He got into pecuniary difficulties, and sold the manor of Ince to Richard Gerard, Esq., second son of Sir Thomas Gerard, of Bryn. His only daughter, Ann, married John, third son of Sir William Gerard, but died without issue.

been sequestered for his supposed delinquency, and whilst he so stood the said trench, which had cost him £3,000, through the neglect of the workmen employed by the Sequestrators, was filled up, and petitioner's mine was totally drowned up, to the infinite loss and prejudice of petitioner and the country thereabout. Now, petitioner, having been adjudged no delinquent, was consequently restored to the enjoyment of a third of his estate and restitution for so much arrears unto him, yet the Lancashire Commissioners had ordered the said £20 a year to be levied out of petitioner's estate, freed from delinquency, although he could make no profits out of the mine; nor would the Sequestrators, who would have the profits of two parts of petitioner's, contribute anything at all towards the opening of the said trench, by which means petitioner was compelled not only to pay the Sequestrators £20 a year for that which they themselves had brought to nothing, but stood in danger to lose his mine for ever, to his own great damage and the country's loss and grievance.

He therefore prayed their serious consideration, and desired them either to order the Sequestrators to allow proportionally for the making and maintenance of the trench, and for the getting of the said cannell coal, or otherwise to acquit petitioner his third part from the said £20 rent (11 December, 1651). "The Co^{rs} to ex. & certify what they know or can finde materiall; upon retuⁿ ref^d to M^r Reading."

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(First Series, Vol. xiii., No. 355, fols. 408, &c.)

fo. 408. Petition from Peter Catterall, of the Crooke in Shevington, gent., addressed to the Commissioners for Compounding with Delinquents, which

"SHEWETH

"That yo^r peticon^r by Indenture dated 16 September 1618 did demise unto certaine Trustees for the use of Thomas Gerard Esq the liberty of Digginge & getting

of Cannell & Cole in yo^r peti^{ti}ōn^{rs} Lands in Aspull for y^e terme of thirty two yeares then next following for & under the yearly rent of £36.

“In which Indenture it is concluded and agreed that the said Thomas Gerard or his trustees and their assignes should six months before the end of the said Terme fill up all the pitt & pitts that should be made for digging of Cole or Cannell during the said Terme and to pay such sūme as the Maior & pson of Wiggan for the time being should order for you peticon^{rs} damages w^{ch} said Lease ended in September last.

“But so it is that severall Cannell pitts being made by the said Thomas Gerrard the same nowe severall yeares sequestered for his delinquency and y^e Agents for Sequestra^{ti}ōn have gott much Cannell there. And for the last six months of the said term (albeit they have got much Cannell there w^{ch} lyes upon the ground) yet the said agents have not filled upp the pitts before thend of the said terme according to the purport of the said Lease whereby yo^r peticon^r is much Dampnified if he be not releived by yo^r hono^{rs}, besides they have not paid unto yo^r peti^{ti}ōn^r this last yeares rent.

“Wherefore yo^r peticon^r humbly prayeth that you would bee pleased to order that yo^r peticon^r may have and dispose of the Cannell w^{ch} now remaines upon the grounds to yo^r peticone^{rs} own use for and towards his damages in not filling up the said pitts, & other Damages, all or most of the said Cannell having been gott within the said last six months, under the said peti^{ti}ōn^{rs} lands, and likewise to order that pour peti^{ti}ōn^r may have this last yeares rent paid unto him by the Com^{rs} for Sequestra^{ti}ōns in the Country.

“And yo^r peticon^h shall ever pray etc

(Signed) “PETER CATTERRELL.”

fo. 410. Duplicate, dated 8 June, 1650.

fo. 411. Report by Mr. Reading, dated July 22, 1652, based upon an order of 27 November, 1651, on a petition of Peter Catterall, of Crooke, desiring an allowance of £36

due to him for rent for the year 1650, out of an estate sequestrated for the delinquency of Thomas Gerrard, of Ince, Esq.

He found that by an indenture dated 16 September 1618, petitioner did grant to Thomas Mullineux, Esq., and other trustees of Thomas Gerrard (amongst other things) liberty to dig "pitt and Cannell coales" on and under the grounds of petitioner in Aspull for a term of thirty-two years, rendering from and after such time as the said trustees or the said Thomas Gerrard should have gotten in any one yeare in or under the said lands of the petitioner or in or under any of the lands of the said Thomas Gerrard in Aspull aforesaid twenty waine or cart loades of cannell, the sum of £36 per annum and twenty load cannell, payable at Pentecost and Martinmas, provided that if for every half year of the said tearme wherein there should not be gotten one hundred and twenty waine load of cannell then for the time no rent should be paid to petitioner. And further provided if there should not be gotten twenty load of cannell in a yeare before Candlemas, 1625, then the indenture as to that grant of liberty to digg coals and payment of the said rent should be void. Power of distress was granted for securing the said rent to petitioner his heirs and assigns in the desmesnes of Ince aforesaid and a "nomine pen^e" of £5 for default of payment thereof by term dayes with covenants for filling up and "evening" the pitts to be made in petitioner's lands six months before the expiration of lease.

The Commissioners for Lancashire certified they had examined witnesses for proof of the said deed, and it was proved that petitioner was before esteemed to have sustained loss by the digging of pits on his lands, forty pounds or thereabouts so esteemed by the Mayor of Wigan and Mr. Bradshaw, the minister there, about February, 1650[-1]. And it was deposed by William Wood that he, being Auditor of the cannell mine of the said Thomas Gerrard, esteemed that the term expired in September, 1650, that the several pits were left open at the expiration of the term and were then

open, and that during the six months preceding the expiration of the term "there was gotten in the said mine one thousand loades of cannell," he verily believed, and that one half was gotten in petitioner's lands which, according to former rates, would have amounted to £50; and he deposed that the particular of petitioner's loss was admitted to have been correct by the Mayor and Minister of Wigan. This witness was confirmed by Alexander Glasborough. It was certified by the Lancashire Commissioners that the farmers of the said cannell were not aware of the covenant for filling up, and therefore could not possibly observe the same. At a subsequent inquiry other evidence was taken, namely, that of Richard Orrell, who deposed that he knew the cannell pit was sunk and made in petitioner's land in Aspull in 1622, and that Mr. Gerrard got from under these lands above 100 loads of cannell every year until his property was sequestrated, and that, subsequently to the conclusion of the term of lease in 1650, the Agents of Sequestrations continued to do the same. William Ford, a workman in the "Sough" of Thomas Gerrard, deceased, being made under the lands of petitioner in Aspull, said the pit called "Sonecroft pitt"¹ was made in petitioner's lands thirty years then ago or thereabouts, by Mr. Gerrard's appointment; and he well remembered there were for the most part six "getters" of cannell in the said work, and that yearly and every year from 1622 there were about 1,000 loads of cannell coal gotten out of the pit until April, 1643. That two Agents of the Sequestrations came and took possession of the works and pits for the use of the Parliament, and that they after that time continued to take out cannell.

Petitioner in his examination deposed that a rent of £36 a year was due to him out of the lands of Thomas Gerrard, Esq., for the liberty to get cannell and coal in deponent's lands unpaid for the year 1650.

The Mayor and Rector of Wigan, under the power granted them in the lease, examined the damage petitioner

¹ ? Stonecroft.

sustained by not "clenseing" and filling up the said pits within the term of thirty-two years, and a certificate under their hands, dated 18 February, 1650[-1], certified petitioner's loss to have been £41. 6s. 8d., which they thought at the least ought to be paid to petitioner; but he found that the damages assessed were for the whole term, and not for the time the property was under sequestration: hence he was unable to distinguish what portion of the claim was fitting to be allowed, and he submitted to judgment whether petitioner should not be permitted to enjoy the half year's rent due at "Whitsontide," 1650, and for the other half year's rent at Martinmas, 1650, the term expiring 16 September, two months before the day of payment of rent. The land of Thomas Gerrard could not be liable to a distress for it, yet as the Commonwealth received the profits of the cannell in that half year and the profits of the lands whenever the distress should have been taken, whether in equity that half year's rent should not be allowed also; and as to damages for not filling up the pits, no remark was made.

fo. 417. (27 November, 1651). Order of reference to Mr. Reading.

fo. 418. (27 November, 1651). Petition.

fo. 419. Communication dated Preston, 5 June, 1651, signed Peter Holt, Robt. Cunliffe, stating what steps they (the Lancashire Commissioners) had taken in the matter, and enclosing copies of evidence given before them by the different witnesses and other matters.

fo. 421. Peter Seddon, of Aspull, taylor, sworn, deposed that the handwriting on the deed 16 Jacobi [1618], purporting to be that of Thomas Gerrard, was his own proper writing; also swore that he was present with Robert Baron, Mayor of Wigan, and James Bradshaw, Rector of the same parish, when they estimated the loss which petitioner had sustained by the digging of the pits, and, as he remembered, this was in or about Feby., 1650[-1]. William Wood, of Aspull, husbandman, Auditor of the "cole mine," deposed as mentioned in the report by Mr. Reading.

fo. 422. Alexander Glasborrough, of Aspull, "Mynner," deposed as in report mentioned.

ff. 425-6. Petition (copy).

fo. 427. Order of reference to Lancashire Commissioners (8 January, 1650[-1]).

fo. 429. Communication on same matter, dated at Preston, 22 May, 1652, signed Edw. Aspinwall, Robt. Cunliffe, enclosing examination of Richard Orrell, of Aspull, "Webster," whose evidence has been summarised in the report *supra*, also that of William ffoard, of the Scoles, Wigan, Miner, and that of petitioner sworn at Preston (8 April, 1652).

(First Series, Vol. lxxvi., No. 2,349, fols. 466, &c.)

fo. 466. Petition from Savill Radcliffe, of Todmerdyne, Esq., which shewed that petitioner, in right of Katherine his wife, had a chief rent of 22s. 2d. a year issuing out of the estate of Thomas Garrard, of Ince, Esq., which rent had been constantly paid until the then new Commissioners refused to allow it. Petitioner, as the rent was so small, prayed that he might be allowed to prove his title before the Lancashire Commissioners and that he might have the arrears from the year 1649. 11 December, 1651. "Agreed, and then further orders."

(First Series, Vol. xxix., No. —, fols. 343, &c.)

fo. 343. Petition from Thomas Gerard, the younger, of Ince, which shewed that petitioner, having been a delinquent, had compounded for his part of the Manors of Ince and Aspull; that Thomas Gerard, Esq., his father, charged the said Manors with £20 a year due to one James Gorsuch (a delinquent), which, having been sequestered and payable to the State by reason of Gorsuch's delinquency, the Agent for Sequestrations, acting upon some information, had then lately distrained for the said £20 and arrears,

upon such part of the said Manors only as were settled upon petitioner at his marriage and compounded for as aforesaid, which money he, petitioner, to his great disadvantage, had satisfied, and the estate which then ought to have been solely charged therewith had not been distrained upon, or any part thereof.

Petitioner therefore prayed for an order to forbid the Lancashire Commissioners from distraining upon such parts of the Manor as had been compounded for and had been assigned to petitioner for his livelihood, till further order, and that the same, with the arrears, might not be levied or gathered thereon, but on such part as ought to pay the same and was then in the possession of his said father, or someone under him, and also for the restitution of such monies as had been levied on petitioner's part. (No date ; no order.)

fo. 348. A petition on same subject (dated 5 August, 1652). "The Com^{rs} to ex. & certify & ref^d to Mr. Reading."

fo. 349. Petition on same subject (17 March, 1651[-2].) "The pet^r to make proove of y^e allegacōn in his petiōn before the Com^{rs} in the Countrey."

fo. 352. Certificate dated 24 June, 1652, signed by R. Sherwyn, Auditor, stating that he had found that Thomas Garrard, of Ince, Esq., was then under sequestration for recusancy and delinquency, and Thomas Garrard, of Anlezargh, for delinquency only, but he did not find that Thomas Garrard, of Aughton, was or had been under sequestration. Whether Thomas Garrard, of Ince, and Thomas Garrard, of Anlezargh, or either of them, be the same with Thomas Garrard, of Aughton, he knew not.¹ The then latest return from the County of Lancaster was dated 3 June, 1652,

¹ It is no wonder that confusion existed. The pedigree of the Gerards of Ince is very obscure. We have already seen (p. 21, note) that there were two Myles Gerrards of Ince. Thomas Gerrard of Aughton is confounded with Thomas Gerrard of Ince in the "Calendar of the Proceedings of the Committee for Compounding, &c."—*State Papers*, Domestic Series, part ii., p. 1279.

being an account of receipts and disbursements up to January 1, 1651[-2].

(Second Series, Vol. xxviii., No. 1,466, fols. 45, &c.)

fo. 45. Delinquency ; he took arms against the Parliament, and was taken prisoner in Naseby Field, June, 1645, released 11th December, 1645, at which time he took the National Covenant before Richard Knightley, Esq. He petitioned 27 March, 1647 ; he again took the National Covenant 17 March, 1646[-7], and the Negative Oath 20th of the same month.

He compounded upon a particular which disclosed that he was seized in fee in part of a messuage called "Ye Hall of Ince," and divers lands, &c., in Ince, of the yearly value of £50, also of certain cottages and small tenements in Wigan, worth £23 a year above the reserved rent, 40s., to the Lord of the Manor.

He claimed a reduction of £3. 6s. 8d. payable yearly for a rent charge out of the said cottages to Thomas Gerrard of Aughton, gent., and his heir. Fine, £209.

fo. 46. Petition.

fo. 47. Certificate, signed by Wm. Barton, that compounder took the National Covenant March 17, 1646[-7].

fo. 48. 11 December, 1645. "At the Committee of the house of Commons for prisoners. It is ordered that you discharge and sett at liberty Captaine Thomas Gerard now prisoner in yo^r Custodie, hee havinge taken the National Covenant and given security never to beare armes ag^t the Parlt nor Note [?] nor Counsell anythinge p^jjudiciall to the State.

RI. KNIGHTLEY."

"To y^e Keeper of
Lambeth House
or his Deputy."

fo. 49. Particular of his estate.

fo. 51. Affidavit as to the Rent Charge on the cottages

fo. 53. Affidavit of Miles Seddon, of Aspoll, parish of

Wigan, taylor, aged forty-seven years or thereabouts, that deponent shewed an order from the Committee at Goldsmiths' Hall to the Committee of the County of Lancaster, that Thomas Gerrard, of Ince, gent., had compounded. The Committee for Lancaster refused to obey the order, alleging that Mr. Gerrard was a delinquent papist, and not to be admitted to composition, notwithstanding his conformity.

Deponent desired the Committee to sustain this allegation; they rejoined by stating their Sequestration Agents had informed, but he deposed that no record could be produced, though he pressed them; they also refused to "make stay" of the rents, &c., until his delinquency might more fully appear, they conceiving it to be Mr. Gerrard's part to prove himself no papist, and not theirs. Mr. Gerrard's friends moved that he might be allowed to give the Committee further satisfaction by taking the Oath of Abjuration. Their answer was "that they would not call him to it."

"MIL: SEDDONS. Jurat 1^o die Julij, 1647.

Coram me

EDW^d ELTONHED."

THOMAS GERARD, THE YOUNGER, OF INCE, GENT.

(First Series, Vol. xcix., No. 3,900, fols. 160, &c.)

fo. 167. Letter dated at Manchester, 7 May, 1652, signed by Edwd. Aspinwall, G. Pigot, and Robt. Cunliffe, acknowledging receipt of an order made on 17 March then last, upon the petition of the above, touching a rent charge of £20 a year, issuable out of the Manors of Ince and Aspull, due to James Gorsuch, gent., a delinquent, and sequestered for his delinquency, in observance whereof they had taken the examinations declared on oath, and they stated that in November then last they had given orders to their Agent to collect the said rent charge and arrears out of all or any of the messuages, lands, and tenements then, or late then,

belonging to Thomas Gerard, of Ince, Esq., father to the petitioner, whereupon he distrained several cattle upon part of the lands aforesaid, in possession of the petitioner, and petitioner, to redeem them, entered bond to pay the said £20 to the use of the State, which subsequently he did pay.

Thomas Gerard, the father, was in possession of part of the said estate, out of which the said rent charge was issuing, two thirds of which were sequestered for his recusancy.

fo. 161. Examinations taken at Preston the 25th of February, 1651[-2].

William Wood, of Aspull, husbandman, aged fifty-four years, sworn, said that about forty years then ago [Mr. Gerrard], having occasion to make a trench to his cannell Myne in Aspull through some lands adjoining, being the inheritance of one Mr. Gorsuch, agreed to pay him a yearly rent of £20 for a term then in being, and said that he, deponent, by the appointment of Mr. Gerard, one year paid the said rent of £20 to one widow Pemberton for the use of the said Mr. Gorsuch according to the deed ; and deponent believed that Mr. Gerard and his father expended in making the said trench or sough (without which the said cannell mine would have been of no use) the sum of £3,000 at least ; and deponent said that during the time the said cannell mine was under sequestration he was employed as a workman in the same, and that all care and diligence was used for the preservation thereof, but the water came down so forcibly upon the mine that the same could not be prevented, and the mine was wholly drowned and dammed up and was at the time useless. Deponent believed that £100 would go very near to repair the same, and thought that if the said mine were again set on foot the same would yearly be worth £100 or near thereabouts.

fo. 162. Examination of Myles Seddon, servant to Mr. Gerrard, and of

fo. 163. James Gorsuch, of Gorsuch, gentleman.

fo. 165. Examinations taken at Preston, 9 April, 1652, of Nicholas Pennington, of Wigan, gent.

(First Series, Vol. xxxvi., No. 1,159, fols. 19, &c.)

fo. 19. Report by Mr. Jo. Readinge, dated 2 July, 1655, upon the petition of William Knowles and Ellen his wife, the daughter and administratrix of John Simpson, deceased, desiring an allowance of a yearly rent of £4, payable out of the land called Padoxe, situate in Ince, sequestered for the recusancy of Thomas Gerrard, Esq. He found that Thomas Gerrard, of Ince, Esq., by his indenture dated the 10th of April, in the 16th of King James [1618], in consideration of £40, demised to John Sympson, of Dunkenhalth, taylor, one close of ground, commonly called Padoxe, containing about seven acres, parcel of the manor, capital messuage, or tenement of the said Thomas Gerrard lying in Ince aforesaid, and then in his own tenure or his assigns, to have and to hold to the said John Sympson, his executors, administrator, and assigns, from the day of the date thereof, for a term of 1,000 years, at a yearly rent of one peppercorn, as appeared by the said indenture which was produced.

He also found that the said John Sympson, by indenture dated the 13th of the said month of April, in the 18th year of King James, reciting the afore recited indenture, did demise the said close of ground to the said Thomas Gerrard, his executors and assigns, from the date thereof, for a term 900 years, at a yearly rent of £4, payable at the Feast of the Annunciation of St. Mary the Virgin, at or in the porch fixed to the south side of the Parish Church of Preston, between the hours of nine and eleven of the clock in the forenoon of the same feast day.

Petitioners produced letters of administration under the seal of the Court of Probate of Wills, granted to the petitioner, Ellen Knowles, daughter of the said John Sympson, then deceased, dated 12 September, 1653. Miles Seddon, who then was, and had been for twenty-five years before, servant to Thomas Gerrard, of Ince, Esq., and well knew his handwriting, believed the name Thomas Gerrard

to be the handwriting of his master subscribed under the said indenture and bond for performance, and further, that he knew of his master paying the £4 a year rent to the said John Sympson, according to the terms of the above-mentioned indenture.

Roger Rigby, who knew John Sympson well in his lifetime, had been many times in his company and of Thomas Gerrard, Esq., and he had heard Mr. Gerrard confess he was in arrear for the said rent to John Sympson subsequently to the wars, and the reason was that his, Thomas Gerrard, Esqr.'s, estate was under sequestration, and he offered, or said he would pass over his estate to his son, so that payment could be made to Sympson. William Knowles, the petitioner, sworn before the Commissioners in Lancashire, the 25th of August, 1654, deposed that he, marrying Ellen, the daughter of John Sympson, was justly entitled to the yearly rent of £4 out of the estate of Thomas Gerrard, Esq., or, in default, of the parcel of ground called Parrocke; and he further said he had not released his title therein, nor committed or done any act or thing to prejudice the same, nor knew of any reason either in law or equity why he ought not to receive and enjoy the same. The Commissioners in Lancashire certified these examinations; also that the estate of Thomas Gerrard was in the year 1643 sequestrated for his delinquency and recusancy, and so continued till, by an order from the Barons of the Exchequer dated 11 June, 1651, the sequestration was taken off from the one third part, and then continued on the other two parts. Several certificates were referred to in the Report, and he submitted the above statements for judgment.

fo. 23. Reference of the case to the Lancashire Commissioners (20 July, 1654).

fo. 25. Petition (20 July, 1654). (Copy.)

fo. 27. Communication dated at Ormskirke, 24 November, 1654, signed by E. Aspinwall and Ro. Massey, mentioning that they had taken the examination of the witnesses and enclosed copies. They stated the date of

sequestration of the property of Thomas Gerrard, Esq., and other matters connected with the case.

fo. 29. Examination of Myles Seddon taken 25 July, 1654, and

fo. 30. of Roger Rigby, and

fo. 30. of William Knowles.

fo. 31. Certificate, signed by Mr. Bayly, stating what proceedings had been taken in the case.

fo. 33. Certificate by Mr. Browne, auditor, giving the rents of two third parts of Thomas Garrard's estate for the year ended 24 March, 1653, amounting in the total to £111. 17s. 6d. The estate consisted of two thirds of his demesne lands at Ince, and a mill farmed out by the Sequestrators to Nicholas Pennington, some of his tenants' rents in Ince, some of the tithe corn in Ince farmed out to Henry Spencer and Thomas Patrick, some of his tenements and rents in Aspull, some of a cannell mine in Aspull farmed to his son Thomas Garrard.

fo. 35. Certificate, signed by Danberry Williams, mentioning that on searching the books of Convictions and Seizures of Recusants he had found no record against either of the petitioners.

fo. 36. Petition (20 July, 1654). "The Com^{rs} to ex. & certify & Mr. Reading to Report. R. W., R. M."

(First Series, Vol. cxiii., No. 7,153, fols. 537, &c.)

Letter dated at Ormskirk, 24 November, 1654, signed by E. Aspinwall and Ro. Massey, mentioning that, in observance of an order, dated 20 July, 1654, made upon the petition of William Knowles and Ellen his wife, administratrix of the goods and chattels of John Simpson, touching a rent charge of £4 a year alleged to be issuing out of part of the estate of Thomas Gerard, of Ince, Esq., they had taken the examinations enclosed for proof of the matters suggested in the petition, and certified that the whole of the estate of Thomas Gerard was in 1643 seques-

tered for his recusancy and delinquency, and so continued till, by order of the Barons of the Exchequer dated 11 June, 1651, the sequestration was taken off from one third part, and continued upon the other two for his recusancy only, and it then continued.

fo. 537. Examinations taken on behalf of petitioners of Myles Seddon, of Aspull, yeoman, who said that he then was, and had been for thirty-five years, servant to Thomas Gerard, of Ince, Esq., and knew his handwriting well, and he believed the name Thomas Gerard on the two writings then shewed to him to be the handwriting of his master, one dated 10 April, 16 James I. [1618], the other dated 13 April aforesaid, and both of them made between the said Thomas Gerard and John Simson of Dunkenhalth, which deponent the better believed as he had seen the said Thomas Gerard subscribe his name to several indentures and letters and other writings to which he, deponent, was a witness, and he said he had known his master pay to John Simpson, in pursuance of the writings above, £4 a year.

fo. 538. Roger Rigbie, of Adlington, yeoman, sworn, said that he well knew John Simpson, of Dunkenhalth, in his lifetime, and had several times been in the company of Thomas Gerard, of Ince, Esq., and John Simpson when Simpson received the £4 in pursuance and performance of an indenture. He had heard that the annuity was in arrear from the time of the wars, and the reason was that Mr. Gerard's estate was sequestrated. William Knowles, of Walton-in-the-Dale, miller, said that he, marrying Ellen, daughter of John Simpson, was justly entitled to the yearly rent charge of £4, or, in default, he was entitled to one parcel of land, called Parrocks, containing six acres, lying in Ince, and further said he had not released the title therein or committed any act or thing to prejudice the same, nor did he know of any reason either in law or equity wherefore he ought not to receive and enjoy the same.

(First Series, Vol. lxxxiv., No. 2,805, fols. 144, &c.)

fo. 144. Petition from Francis Rockley, Esq., executor of the will of Robert Rockley, Esq., deceased, which disclosed that upon a former petition setting forth that Thomas Gerard, the elder, of Ince, gentleman, had long then previously acknowledged a statute of £500 unto the said Robert Rockley, petitioner's then late father, deceased, defeasanced for the payment of several yearly sums of money as by the said statute and defeasance appeared; that default of payment having been made and no satisfaction given to petitioner's father in his lifetime, or to petitioner afterwards, and two thirds of Gerard's estate being under sequestration, petitioner could not "extend" the same without an order from the Commissioners above. They had ordered the Lancashire Commissioners to take the examinations of petitioner's witnesses, which had been partly done, and returned. As petitioner lived in Yorkshire and was a person not able to travel to London, he prayed for an order directing the Yorkshire Commissioners to take the examination of such witnesses as petitioner would produce before them, which was granted (24 April, 1655).

fo. 146. Original petition.

ff. 147-156. Report on the case by Mr. Reading, dated 2 July, 1655, in which he, after reviewing the matter at length and mentioning the names of many persons, submitted "that this is all I find in the case."

ff. 157-184. Various documents connected with the suit, including copies of examinations, orders, certificates, &c.

(First Series, Vol. xli., No. 1,268, fol. 118.)

fo. 118. Petition from John Marsh, of Preston, and Edward Fleetwood, of Westminster, gentlemen, which alleged that they had a just claim to three closes of land lying in Ince, called Horsheys, Linniellfeild, and Cunningre, then lately belonging to Thomas Garrard, of Ince, Esq.

These lands had before the wars been conveyed to William and Richard Crooke, of Brindle, for 900 years, and were redemised to Mr. Garrard on a rental, and, his property being sequestrated, they being in his possession were included. Petitioners now desired an examination into their title, which was granted (29 May, 1665).

ff. 135-148. Report and other papers connected with the case.

(First Series, Vol. xlviii., No. 1,467, fol. 364.)

fo. 364. Petition from Lewis Orrell, James Socker, John and Roger Rycroft, John Pennington, Matthew Peters, Richard Lowe, Raphe Diconson, Raphe Wood, James Browne, Richard Boulton, Elizabeth Asley, James Johnson, and divers others, tenants to Thomas Gerrard, of Ince, co. Lanc., Esq., which disclosed that Miles Gerrard, of Ince, Esq., by indenture dated 17 October in the 8th of King James [1610], for the considerations therein expressed, granted, and confirmed to James Gorsuch and Edward Gorsuch, their heirs and assigns, an annuity of £20, issuing out of all his manors, messuages, &c., lying in Aspull and Ince, for the term of three lives; the said annuity had come to James, eldest son and heir of the said Thomas Gorsuch, then deceased, for whose delinquency the same had been sequestered, and thereupon became payable to the Commonwealth out of the estate of the said Thomas Gerrard, of Ince, eldest son and heir of Myles Gerrard, then deceased; that notwithstanding two thirds of the estate out of which the said annuity was payable were sequestered for the recusancy of the said Thomas Gerrard, yet the Agent to the Commissioners for Sequestrations for Lancaster had then recently distrained some of petitioners' goods to the value of £20, who were but tenants by leasehold at small rents to the said Thomas Gerrard, and they had "dubly" paid their said reserved rents.

Petitioners pointed out that the Agent might have distrained on the demesne lands for the annuity, which in

justice he ought to have done and not seized their goods ; they prayed therefore that an order might issue requiring the Lancashire Commissioners to restore to petitioners the goods which had been taken, and that for the future they might not be molested (3 April, 1655). "Com^{rs} to certify within 28 days after notice hereof, & meantime to forbear to levy."

Sir William Gerard,¹ of Bryn, Baronet.

(First Series, Vol. xxix., No. —, fols. 323, &c.)

Petition, which shewed that in the commencement of the civil wars he deserted his habitation and resided in the garrisons held against the Parliament, for which his estate had been sequestered ; that he was in Denbigh Castle during the siege and at the surrender thereof to the Parliamentary party, and was comprised within the articles agreed thereupon. Since then to date of petition he had continued at his own house, but in consequence "of his infirmitie of sicknes" did not petition earlier. He prayed that he might be admitted to composition for his delinquency according to the said articles (13 April, 1647). "Received and referred to the Sub-comittee."

ff. 325-6. Certificate, shewing the dates and nature of the proceedings taken in his case.

fo. 327. Petition, referring to his former petition which had been received but "remained on the fyle."

He being a recusant convict had not been allowed to prosecute his composition, but by a recent act touching delinquents, such as he was, if they did not perfect their compositions within twenty-eight days after 7 April, 1649, they were to lose the benefit of their compositions, their estates were to be confiscated, themselves, wives and children turned out of their houses, and to lose the "5th." The Sequestrators for Lancashire had threatened to put the above in operation against petitioner, his wife and children.

¹ Autograph signature to petition.

He therefore humbly desired to be allowed to compound for his third part, or that their Honours (the Commissioners in London) would vouchsafe letters to the Lancashire Committee and Sequestrators declaring that petitioner was not comprehended within the act and requiring them to forbear execution till Parliament should have prescribed some rules for compositions with persons of his condition.

"Rec^d 10th May 1649 & ordered that tres be sent to the Committees to giue y^m knowledge that as yet the plament haue not giuen orders for to make Compositions with popish Delinquents & therefore the falt not to be in the petitione^r that his composition is not made."

fo. 329. The case of Sir Wm. Gerrard, of Bryn, as it appeared in the books and papers remaining in the Register's office of the Commissioners for Compounding (no date).

ANNE GERARD DAUGHTER OF SIR WILLIAM GERARD.

(First Series, Vol. xxix., No. —, fols. 369, &c.)

Report by Mr. Brereton, dated 18 February, 1650[-1], according to an order of the Commissioners in London, dated 17th July, 1650, upon the motion of Mr. Riche, on behalf of Anne Gerard and Tho: Rosbotham and others, creditors of the said Sir William, desiring the confirmation of an order of the Barons, allowing an estate in Lancashire made by the said Sir William Gerard for payment of debts and portions. After finding the facts, he submitted to judgment whether the trustees ought not to be permitted to receive the rents and profits till the trust was performed, according to the order of the Barons.

fo. 373. Communication from the Commissioners in London, addressed to the Lancashire Commissioners, signed by Sam. Moyer, Edw. Winslow, Ar. Squibb, Ric. Moore, dated July 12, 1650, mentioning that the case of Ann Gerard had been referred to Mr. Brereton to report, and directing that in the meantime the trustees should enjoy the profits of the estates, giving security to the Lan-

cashire Commissioners to repay so much as they might have received, if the matter were decided against them.

fo. 375. Order of the Lancashire Commissioners in the case, dated 30 August, 1649, addressed to the Sequestration Agents of the County.

fo. 377. Report by Mr. Steele.

fo. 383. Order of the Barons on the Report of Mr. Steele (15 June, 1649).

fo. 389. Copy of preceding order.

(First Series, Vol. c., No. 3,982, fols. 13, &c.)

fo. 13. Letter dated at Preston 8 April, 1651, mentioning that by an order of the 4 February preceding, which they received on the 26 March then last, made upon the petition of John Fleetwood, George Sorocold, and William Whitfield, touching the estate of Sir William Gerard, Bart., sequestered for his popery and delinquency, for reasons expressed in the said order they were to permit petitioners, their agents, or assigns, to receive, take, and enjoy the rents and profits of the said estate until the case was heard, they giving security. They certified that they had by orders from above sequestered, posted, and let the estate, and finding that the petition was grounded on a false suggestion, namely, that the estate was only "secured," they thought it their duty to certify the truth, and desired directions for their further proceedings in the matter.

fo. 11. Copy of an order based upon proceedings in 1651, dated 4 September, in which it is stated the Commissioners for Compounding declined to admit the deed relied upon by petitioners, so far as regarded two thirds of the estate, and ordered that the whole estate be forthwith sequestered, and other points.

(First Series, Vol. xxv., No. 767, fols. 1,095, &c.)

fo. 1,095. Petition from John Fleetwood, George Sorocold, and Wm. Whittfield, Trustees on behalf of Ann

Garrard, which shewed that, by an order dated 21 April then last (1653), they had been ordered to account with the Auditor (R. Sherwyn) concerning the profits of Sir William Gerrard's estate; it also appeared that William Whittfield had been solely employed in managing and disposing of the said estate, and had kept the accounts thereof; and the other petitioners, especially John Fleetwood, had meddled no further in the management than looking over the accounts. And it further appeared that John Whittfield was aged, decrepit, and infirm, and unable to undertake a journey to London without hazard and danger to his life, as by an affidavit attached appeared, and that the accounts were ready to be produced. Prayed, therefore, that the Lancashire Commissioners might examine petitioners on oath as to the said accounts (17 August, 1653). Granted.

fo. 1,098. Affidavit of Richard Gerrard, of Holborne, Middlesex, Esq., deposing to his knowledge of the trustees and the infirmity of William Whittfield, sworn before the London Commissioners 24 June, 1653.

fo. 1,101. Petition of John Fleetwood, George Soro-cold, and Wm. Whitfield, which shewed that by a conveyance made in 1640, Sir William Gerrard, for good and valuable considerations, settled and assured upon petitioners the Manor of Bryn and several other lands for eighteen years; that petitioners entered thereinto and enjoyed the same until about two years then preceding, when the same was sequestered as the estate of the said Sir William Gerrard, but on petition to the Barons and hearing of the case, the same was discharged, and so continued until about the 10 December, 1651, when the Lancashire Commissioners seized the said estate and took away petitioners' goods, cattle, &c., which were then on the premises. Prayed for a consideration of their case, a restoration of their goods or recompense at fair value, and that petitioners might enjoy the premises according to their just right, as well as the order of the Barons (14 January, 1651[-2]). "Com^{rs} in County to certifie the cause of seizure &

what they know in the business. Mr. Reading to report :
W. M., R. M."

(Edw. Rich, Counsel for the petitioner.)

fo. 1,104. Petition (4 February, 1651[-2]). "In regard y^e seqⁿ was discharged by y^e Barons, and the same being now serued [? seized] only the pet^{rs} to enjoy the rents upon security."

ff. 1,105-6. (11 December, 1650.) Order, signed by Sam Moyer, William Molins, Edw. Winslow, and Ric. Moore, to seize the estate on behalf of the Commonwealth, the same being then in the hands of Osborne.

fo. 1,112. Petition of John Fleetwood and others, mentioning that on a previous "address" petitioners obtained an order referring the case to the Lancashire Commissioners to examine and certify; that as the certificate had been returned to their Honors, petitioners prayed for a decision (23 April, 1652). Referred to Mr. Brereton.

(First Series, Vol. xxix., No. 899, fol. 257.)

fo. 257. Petition from John Fleetwood, George Soro-cold, William Whitfield, and Ann Gerard, which shewed that upon the motion of Mr. Rich, on the behalf of Ann Gerard and others, creditors of Sir William Gerard, desiring a confirmation of an order of the Barons of the Exchequer allowing an estate then long since let out by Sir William Gerard, lying in the County of Lancaster, for the payment of debts and portions, it was referred to Mr. Brereton to examine the deed and proceedings therein, and to report what he found to be in the case to the Commissioners for Compounding in London. The Report was prepared by him, but it so happened that at the same time when it came in course to be heard, that Mr. Peter Wilkins, who was entrusted with the management of the business, was absent in Holland, and petitioners in the country not daring to venture to London for fear of the Scotch army betwixt them, and no Counsel being present at the hearing

to manage petitioners' evidence or reply to the observations made on behalf of the Commonwealth, this, as petitioners humbly conceived, occasioned the order of the 4th September then last (1651) for the sequestrating the said estate ; which order accordingly was, by the Commissioners in the Country, put in execution, to the great astonishment of petitioners, they never having had the least intimation that the business had come to a hearing, upon which "they tooke the boldnesse to petition y^r Honours the iij^jth of ffebruary last" (1652[-3]) for an examination of the business and a reference to Counsel to state and report, and for the stopping of the remaining rent in the tenant's hands, which the Commissioners granted, and security was thereupon given by petitioners. Petitioners were subsequently informed that the said order of September 4 was based upon a supposition that two third parts of the land of Sir William Gerrard were seized into the then late King's hands before the making of the said deed, whereas in truth the seizure had been avoided by the judgment of the Barons of the Exchequer, and the said deed was made in performance of a former deed of settlement of Sir William Gerard's estate in consideration of a marriage, bearing date the 3 April, 8 Ch. I. [1632], in which deed provision was made for payment of debts and preferment of his younger children by the mother of petitioner, Anne Gerard, which settlement had been made long before any conviction of the said Sir William Gerard. They prayed that the deed of settlement might be referred to Counsel to examine and report, and that the Commissioners would confirm their previous order.

(First Series, Vol. xxix., No. 899, fol. 287.)

Report by Mr. Reading, based upon orders of 14 January, 1651[-2], and 23 April, 1652, upon the petitions of John Fleetwood and others, trustees of the estate of Sir William Gerrard, which he was to examine into, and report the whole case.

He found that by an indenture tripartite, dated 13 September, 1632, made between the said Sir William Gerrard, Bart., of the first part, Sir Richard Mullineux, Lord Mullineux, Sir Cuthbert Clifton, Knt., and Sir Thomas Walmesley, on the second part, and Ralph Standish, John Poole, and Roger Bradshaw, Esq., on the third part, the said Sir William Gerrard, in consideration of his marriage with Dame Elizabeth, his then wife, and for a jointure for her and for the preferment of his children, brothers, and sisters, covenanted to levy a fine or fines of all the Manors, Lordships, Lands, and Parks of the said Sir William, called the Brinn, Ashton-in-Makerfield, Windle, Carr Park, Garswood, and Windleshaw, in the County of Lancashire, and all other the lands of him the said Sir William in the said County, and in the County of Derby, and that recovery or recoveries should be had thereupon to the uses in the said indenture mentioned, wherein amongst other things it is provided that it should and might be lawful for the said Sir William Gerrard during his life, by any act or deed in writing, to limit, appoint, and charge all or any of the premises, other than the lands limited for the jointure of the said Dame Elizabeth, with any leases or rent charges for and towards the payment of the debts of the said Sir William Gerrard, and the sum of £3,000 or any lesser sum by such deed as would be appointed for the marriage portion, use, and benefit of any one daughter which the said Sir William Gerrard should have alive, if the said Sir William Gerrard should then have any issue male alive, and if he should have more daughters than one living at the time of making such deed or will, and then shall have any issue male alive, then the sum of £4,000 or any lesser sum as by the said deed or will should be mentioned to and for the marriage portions, use, and benefit of such daughters so then living, equally to be divided amongst them, and if in case he should at the making of such deed have only one daughter and no issue male then living, then

the sum of £4,000 or any lesser sum to and for the marriage portion, use, and benefit of such daughter last mentioned so then living equally to be divided amongst them, with the further proviso that if the said Sir William Gerrard should have one or more daughters begotten on the body of the said Dame Elizabeth, and should not by good assurance in the law unto such daughter and daughters grant, convey, and assure at or before such time as the eldest should accomplish the age of fifteen years, such and so much of the said premises as should be of the yearly value of £300, to hold until such daughter and daughters should have levied out of the rents and issues the sum of £3,000, that then, in default of such assurances, they, the said Richard Lord Mullineux, Sir Cuthbert Clifton, Sir Thomas Walmesley, Ralph Standish, John Poole, and Roger Bradshaw, and the survivor of them and their heirs, from and immediately after such eldest daughter should have accomplished the age of fifteen years, should by virtue of the said fines and recoveries stand and be seized of all those manors and premises in the County of Lancaster (except the said jointure of the said Dame Elizabeth for her estate only) for and until the said Lord Mullineux and other the said parties before named should have out of the rents, issues, &c., have received, had, and taken the sum of £3,000 to and for the use of such daughter and daughters, as by the said indenture then produced appeared.

It was deposed by Richard Gerrard, Esq., that the 3 March, 1640[-1], the said Sir William Gerrard had issue Frances Gerrard, his eldest daughter, and that the said Frances was then near the age of fifteen, and that the said Frances died unmarried about six years then ago, and that he also then had issue Ann, his second daughter, then (1652) of the age of sixteen years, and that he then also had issue William Gerrard, his eldest son, in 1652 of the age of fourteen years. He also found that the said Sir William Gerrard by his indenture, dated 3 March, 1640[-1], for payment of his debts and preferment of his daugh-

ters, demised to Peter Leigh, William Whitfield, and others, the capital messuage called the Brinn and the demesnes thereunto belonging, the Manor of Ashton-in-Makerfield, three water corn mills in Ashton, the capital mansion in Ashton called Gourswood and the demesnes thereto belonging, the park called Carrpark and Windles, and all his messuages, lands, and tenements in Windle (the manor, lands, and tenements formerly set out for the jointure of the said Dame Elizabeth Gerrard only excepted), and two parts of three of the manors of Etwall and Hardwick in the County of Derby, to have and to hold for eighteen years from Lady Day then next under the rent of a peppercorn ; upon trust and confidence that the lessees should enjoy the profits for the payment of the debts of the said Sir William Gerrard, and afterwards until they should or might have received £3,000 for the use of Frances and Ann, daughters of the said Sir William, and for every other daughter which the said Sir William should have £1,500, as appeared by the said indenture first reported by Mr. Recorder Steele, the 6 June 1649, unto the Barons of the Exchequer, who had reported that the sealing and delivery was proved before him ; and that the said trustees, by virtue of the said indenture, had received the profits from the date of the indenture until the beginning of the then late wars, and that the said Frances, one of the daughters of the said Sir William Gerrard, was then dead, and that no part of the money payable by the said indenture to the said Frances and Ann had been paid. Whereupon Mr. Recorder submitted to judgment whether the trustees ought not to be permitted to receive the rents and profits until the debts and portions were paid, and upon reading the said Report the Barons, on June 15, 1649, confirmed it, and ordered that the said trustees be permitted till the said debts and portions were paid to receive the rents, &c., to satisfy the said sums according to the trust, and to be accountable to the Commissioners for Sequestrations before whom oath was to be made of the reality of such debts as were

then unpaid, and what had been paid thereof, and to receive what should be due from recusants and delinquents according to the Ordinance of Parliament to the use of the State until the said Commissioners certify just cause to the contrary, within six weeks after they should have had notice.

He also found that afterwards, *viz.*, the 12th of July, 1650, upon the motion of Mr. Rich on the behalf of Ann Gerard, daughter of the said Sir William, and of Thomas Rosbotham and other creditors of Sir William Gerrard, desiring the confirmation of the said order of the Barons allowing an estate long since set out by Sir William for payment of debts and portions, it was referred to Mr. Brereton to examine and report the deed and proceedings thereupon, and that in the then meantime the trustees should enjoy the rents upon security, and the Commissioners for Lancashire to take care that the estate was let to the utmost improved value, and accordingly Mr. Brereton, the 28 of February, 1650[-1], reported the said indenture of the 3 March, 1640[-1], which was produced to him, and he reported the said reference to the Barons, and the said report made by Mr. Recorder Steele, and the proofs made before him, and the said order of the Barons in confirmation of the said report.

And Mr. Brereton also reported that the 30 April, 1650, William Whitfield made oath before the Commissioners of Lancashire that before the said indenture Sir William Gerrard engaged to Mary Whitfield £100 and to Thomas Rosbotham then unsatisfied £40 by several bonds. Whereupon the said Commissioners ordered that the Agents for Sequestrations should take notice of the said report and order, and observe the same in all things, and the trustees be accountable to the Commissioners as often as they should be required. Whereupon Mr. Brereton submitted to judgment whether the trustees ought not to be permitted to receive the rents, &c., till the trust were performed, as by the said report and order filed with the Register appeared.

And he found upon the reading of Mr. Brereton's report 4 September, 1651, in regard of a conviction and seizure appearing on Sir William Gerrard's estate, that it was resolved that the Commissioners above could not allow the said indenture of the 3 March, 1640[-1], so far as regarded two third parts of the estate thereby granted, and that the whole estate mentioned in the said report should be forthwith sequestered, and the rents, &c., thereof received to and for the use of the State, and that the Commissioners of the County certify when the same was first sequestered and for what, and who was in possession thereof at the time of the first sequestration, and the trustees prove the execution of the said deed according to their trust.

He found that the 14 January, 1651[-2], the petitioners John Fleetwood, George Sorocold, William Whitfield had petitioned in London; that in 1640 Sir William Gerrard settled upon the petitioners the Manor of Brinn and other lands for eighteen years; and that they had entered and enjoyed the same until about seven years then ago, the same having been sequestered as the estate of Sir William Gerrard. Upon address to the Barons of the Exchequer, and stating and examining the case, the same was dismissed and so continued until 10 December, 1651, about which date the then present Commissioners in Lancashire had taken away their cattle and had seized the estate, whereupon they prayed restitution and that they might enjoy the possession of the premises according to their just right and the order of the Barons, and that the Commissioners might return the grounds and causes of the sequestration. In which petition they made no mention of the reference to Mr. Brereton, nor to his report nor the order thereupon. And by the order of the 14 January, 1651[-2], the Commissioners of Lancashire were ordered to examine the contents of the petition, and to certify the cause of the seizure and what else they knew material therein, and it was by the Commissioners referred to him (Mr. Reading) to examine, state, and report on the whole case. And by their order of 4 February, 1651[-2], inasmuch as it appeared to them that

the estate claimed by the petitioners was discharged from sequestration by order of the Barons of the Exchequer, and was then only seized, and the case as to title referred to Mr. Reading to report, they ordering the petitioners to enjoy the rents, &c., till the report were heard, upon security to be given to the Commissioners of Lancashire, upon receipt of which order the said Commissioners the 8th April, 1652, did certify that the said estate having been by them secured according to instructions from above in the like cases, the same having been formerly sequestered as aforesaid, upon a hearing on 4 September then preceding the said estate was ordered to be sequestrated, and subsequently by another order dated 25 November then last, among many other things they again had directions to sequester the same, whereupon they did again sequester it, and caused the same to be posted and let, and therefore finding that the petition was grounded upon a false suggestion, the petitioners alleging the estate was only secured, whereas in truth it really had been sequestered as aforesaid, they thought it their duty to certify the truth and desire your (the Commissioners in London) directions for their further proceedings.

As to the point of conviction and seizure of two parts out of three of the said lands into the hands of the late King, which should have disabled the late Sir William from making the lease in 1640, it was certified by Mr. Fowle that Sir William Gerrard had compounded the 8th of October, 1632, for a lease of two third parts of his lands in the County of Lancaster. At the end of the entry of which composition there were these words, *vizt.*, "The said Sir William Gerrard is not to pay any arrearages of Rent for the premises he being in ward to his Majesty until April last before the time of making that Composition."

And he also certified that the 28 January, 1639[-40], there was a seizure made of his lands in the County of Lancaster by inquisition that day.

In answer thereto petitioners produced two several

quietuses out of the Pipe under the hand of Sir Henry Crook, both grounded upon a judgment of the Barons of the Exchequer in Hilary Term, 1649, upon the plea of petitioner, William Whitfield, and other the tenants of the lands of the said Sir William Gerrard. The one for discharge of £659. 6s. 8d. due for two parts of the manor of Ashton, the capital messuage called the Brynn, and Garswood, and of the Manor of Windle and lands in Lancaster, Pemberton, and Prescott, in the County of Lancaster, seized into the hands of the then late King Charles the First, the 15 of October, 1635, for the recusancy of the said Sir William Gerrard, for fifteen years from 1635 to 1650; and the other for the discharge of £23. 6s. 8d. due for two parts of the said manors and lands seized into the hands of the said King, the 30 of October, 1639, for the recusancy of the said Sir William Gerrard for one year ended at Michaelmas, 1640; both which seizures were discharged by the said judgment of the Barons in Hilary Term, 1649, for the insufficiency and uncertainty of the several inquisitions of the seizures.

It was by them adjudged that the hands of the Keepers of the Liberties of England by Authority of Parliament from the possession of the aforesaid two parts of the premises should be removed, and that he unto his possession thereof, together with the issues and profits thereof arising, which to the said Keepers were not then answered, should be restored, and he, the said William Whitfield, and all and singular sheriffs, farmers, tenants, and occupiers of the premises, of all issues and profits thereof arising, as against the said Keepers of the Liberties of England, should be discharged and acquitted. So that upon the whole matter, it was submitted to judgment

- (1.) Whether the said composition in 1632, or the conviction and seizure of the said lands into the hands of the then late King in the year 1639, which seizure was afterwards discharged by judgment of the Barons in 1649, be a sufficient

ground to disable the lease unto the petitioners for eighteen years, made the 3 of March, 1640[-1].

- (2.) Whether the first indenture tripartite of 13 September, 1632, which preceded the said conviction and seizure, by which conveyance and execution thereof by fine and recovery, and whereby power was given to the said Sir William to make any estate for any term under twenty-one years for raising of £4,000 or £3,000 for his said daughter, the same conveyance to have been made before the said daughter should have accomplished the full age of fifteen years at the time of making the said lease, and that it was provided by the said indenture tripartite that if in case such conveyance should not have been made before the said daughter should have accomplished the age of fifteen years, that then the said Lord Mullineux and other the parties before named should stand and be seized of the premises until they should have received out of the profits the sum of £3,000; whether if the said latter conveyance made the 3rd March, 1640[-1], should be adjudged void; whether then the Lord Mullineux and other the parties aforesaid should not stand seized of the said premises until they should have received the said sum of £3,000 according to the purport of the said indenture tripartite (10 November, 1652).

[Memorandum at foot.]

Since the report, the chyrograph of a fine levied in the County Palatine of Lancaster in Lent, 1633, between Ralph Standish, John Poole, and Roger Bradshaw, Esquires, plaintiffs, and the said Sir William Gerrard and Dame Elizabeth his wife, deforciant, of the manors of Ashton-in-Makerfield and Windle with the appurtenances, and of divers messuages, lands, and tenements in Ashton-in-

Makerfield, Windle, Prescott, Pemberton, Winstanley, Billing, Lancaster, Ince-in-Makerfield, and Gouldbourne, and afterwards at the same Sessions at Lancaster, a recovery had by the said Lord Mullineux, Sir Cuthbert Clifton, and Sir Thomas Walmesley against the said Ralph Standish, John Poole, and Roger Bradshaw of the said Manors, &c., was produced before the said Mr. Bradshaw, and he conceived it to be in pursuance of the said indenture of covenants, as was proved before him by the said chyrograph of the said fine and copy of the recovery deposed to by William Patten, gent. (5 January, 1652[-3]).

fo. 302. Certificate by Mr. Fowle (dated 14 April, 1653).

fo. 303. Order of reference to Mr. Reading (23 April, 1652).

fo. 305. Petition (copy), 23 April, 1652.

ff. 307-8. Petition (copy), 14 January, 1651[-2].

fo. 309. Reference to Lancashire Commissioners (14 January, 1651[-2]).

fo. 311. Copy of decision by Commissioners on perusal of Mr. Brereton's Report (4 September, 1651).

fo. 315. Affidavit of Richard Gerrard, Esq., of London (sworn before the Commissioners in London 8 September, 1652).

fo. 318. Second affidavit by Richard Gerrard, Esq. (sworn 9 November, 1652, in London).

fo. 320. Certificate by Mr. Fowle as to the search he had made in the books of Seizures and Compositions of Convicted Recusants as to Sir Wm. Gerrard (11 November, 1652).

fo. 322. Affidavit of William Patten, Esq., of Preston (sworn before the Commissioners 7 December, 1652).

(First Series, Vol. xcvi., No. 3.870, fols. 535, &c.)

fo. 535. Communication from Lancashire Commissioners dated at Preston 16 September, 1653, mentioning that they, in observance of an order from above, had taken the accounts

of John Fleetwood, Esq., George Sorocold, and William Whitfield, trustees on behalf of Anne Gerard, upon oath, which accounts they affixed to this communication and submitted to the further consideration of the Commissioners above.

ff. 538-548. The account of the above gentlemen, being the persons surviving entrusted with the receiving and disposing of the issues, rents, and profits of the estate of Sir William Gerrard, Bart., within the county of Lancaster, which was settled upon the trustees by the said Sir William by deed dated 3rd March, 1640[-1], for payment of his debts and for raising of £3,000 portion for the use of Ann Gerrard, daughter of the said Sir William Garrard. Drawn up and stated by the said trustees in observance of an order from the Commissioners for Compounding at Haberdashers' Hall. Dated 21 day of July, 1653.

This account commences 15 June, 1649, and ends with the year 1652.

On the debtor side it shews the rents arising from the different manors and freehold lands, &c., giving the names of the places and yearly rentals; on the creditor side, the payments of annuities (naming the persons), for repairs, damages "by getting Coles," monies paid to the gaoler at Lancaster (James Hardman) for the prisoners, by order of the Committee of Lancaster (1648), law costs, payment of part of the profits to the Agent for the Commissioners of Sequestration, paid for "horse armes and ryder paye under Captaine French in the year 1650 (£13);

fo. 543. "Moneyes paid ffrancis Howard Esq. son and heir of S^r ffrancis Howard in pte of the Mariage porcōn w^{ch} Ann his nowe wife daughter of the said S^r William Garrard in pte of the £3000 had allowed unto her by the Deed, £800 0 0" (1 August, 1653).

fo. 546. Affidavits of the three petitioners as to the truth of the accounts.

fo. 547. Memorandum declaring how the profits were

disposed of from the date of the deed, 3 March, 1640[-1], till the property was sequestered in August, 1643. Names of all the persons to whom sums were paid are mentioned.

(First Series, Vol. lxxv., No. 2,323, fol. 475.)

fo. 475. Petition from William Lea, gent., shewing that in pursuance of Articles of Agreement between Sir Thomas Gerard, of Bryn, knight and baronet, and petitioner, in consideration of a statute of £3,000 for the payment of £1,700 granted by the said Sir Thomas Gerard and his father to Richard Pemberton and Henry Holme for the use of petitioner, Sir William, son of Sir Thomas Gerard, granted to petitioner an annuity or rent charge of £60 a year, issuable out of the Manor of Ashton, as by the said indenture appeared; the said rent charge had been paid to petitioner and allowed by the then Commissioners until Lady Day then last, at which time the new Commissioners refused payment and detained it as part of Sir William Gerard's estate.

Prayed for an order to examine the truth of petitioner's statements (13 May, 1652). Granted. Mr. Reading to report.

(First Series, Vol. xi., No. 276, fol. 160.)

fo. 160. Roger Bradshaigh, of the Haigh, co. Lancaster, desires confirmation of a lease of 1st January, 1651[-2], from the County Commissioners for seven years, of the estate of Sir W. Gerard, but without the conditions imposed by them that he is to pay the monthly taxes and not to plough the land without increase of rent of £5 the acre. In this is given a survey of the estate of Sir William Garrard, of Brinn, Bart, a delinquent and recusant.

Brin Demesne.				Acres. Roods. ffalls.				li.	s	d
Asheton Close	...	...	...	11	00	00	...	5	10	00
Stanley's Close	...	...	...	6	00	00	...	2	00	00
The Copies	...	...	...	22	00	00	...	-	16	08
The Land	...	...	...	7	00	00	...	3	10	00
The Tootell	...	...	...	6	00	00	...	2	00	00
The Allies in 3 closes	...	...	...	7	00	00	...	2	06	00
The Leechfeild	...	...	...	4	02	00	...	1	10	00
The Little Maynes	...	...	...	4	02	00	...	1	10	00
The Great Maynes	...	...	...	9	00	00	...	3	00	00
The Raushie Croft	...	...	...	3	03	00	...	1	00	00
The Moone feild	...	...	...	7	00	00	...	2	06	08
The 7 acres	...	...	...	6	02	00	...	2	03	04
The Garden hedge	...	...	...	4	02	00	...	3	00	00
The Black Hedge	...	...	...	5	03	00	...	5	00	00
The Brinfeild Meadowe	...	...	...	5	02	00	...	3	10	00
The Brinfeild	...	...	...	6	00	00	...	2	00	00
The Canfeild [? Caufeild]	...	...	...	7	00	00	...	2	06	08
The 2 Cowe leyes	...	...	...	18	00	00	...	5	00	00
The ould meadowe	...	...	...	10	00	00	...	5	06	00
The two horse heyas	...	...	...	7	00	00	...	2	06	08
The Little Reed	...	...	...	5	00	00	...	1	13	04
The great Reed Meadowe	...	...	...	9	00	00	...	3	00	00
The New meadowe	...	...	...	5	02	00	...	2	15	00
The Tunstall heads	...	...	...	18	00	00	...	12	00	00
The 8 acres	...	...	...	7	03	00	...	2	13	04
The Cooke's Meadowe	...	...	...	1	00	00	...	-	13	04
The cole pitt bancks	...	...	...	7	00	00	...	2	00	00
The two hindly closes	...	...	...	6	00	00	...	2	10	00
The Wallis & barton Closes	...	...	...	9	00	00	...	3	00	00
Sting close	...	...	...	3	02	00	...	1	06	08
The Kitte close	...	...	...	5	00	00	...	1	13	04
Wood's Close	...	...	...	6	00	00	...	1	06	08
The 3 acres	...	...	...	2	03	00	...	1	00	00
The New Karth	...	...	...	11	00	00	...	3	13	04
Pemberton's close	...	...	...	6	00	00	...	2	00	00
The Parke Meadowe	...	...	...	9	00	00	...	3	00	00
The great Crabtree hurst	...	...	...	10	00	00	...	5	00	00
The Little Crabtree hurst	...	...	...	5	00	00	...	1	13	04
The Mylne hill & Pingotts	...	...	...	2	00	00	...	-	13	00
Brin Mosse	...	...	...	60	00	00	...	3	00	00
a water corne Mylne	...	...	...	<hr/>				6	10	00

Garswood Demeasne.

The Plowe Land	...	...	...	60	00	00	...	40	00	00
Pasture & meadowinge	...	...	...	40	00	00	...	20	00	00
The Carr banckes & Plowlands	...	...	...	40	00	00	...	20	00	00

Garswood Demeasne.					Acres. Roods. ffalls.			li.	s.	d.
Pasture	...	...	...	...	30	00	00	...	10	00 00
Two water Corne mylnes	...	...	...	...				...	12	00 00
The Cole mynes	...	...	...	...				...	¹ 20	00 00

The above written is a true coppie of the Survey of Sr William Garrard's Estate in y^e Countie of La Exhibited by y^e Com^{rs} for Sequestracons for Ch . . Countie 24th of June 1652.

(First Series, Vol. xcix., No. 3,969, fols. 394, &c.)

fo. 394. At Preston, 27 May, 1653. Letter signed by Nicholas Cunliffe, Ro: Massey, mentioning that in March then last the then Commissioners, in observance of an order of 13 May, 1652, upon the petition of William Lea, Gent., touching a rent charge issuing out of the sequestered estate of Sir William Gerard, Bart., did then return two examinations taken before them, namely, of Edward Holte, Gent., and Thomas Marsh. In transcribing the word James was used instead of Thomas, which they desired might be rectified, and they also enclosed another examination and enclosed a copy, namely, that of

fo. 391. William Hampson, of Hindley, who deposed that he knew that there was a rent charge of £60 a year paid to petitioner out of the estate of Sir William Gerrard at Brinn by John Pendlebury and Peter Rylands, Agents for Sequestration, according to the orders of the then Committee, for the years 1643-4-5 and 6, and paid to him in 1647 by Wm. Parr and William Kynardsley, then agents, in 1648 by Jeffrey Birchall and William Kynardsley, then agents. All this he, deponent, the better knew as he was then clerk to the said agents. Sworn 26 May, 1653.

fo. 395. Examinations of Edward Holte, of Sephton, Gentleman (aged 70), and James Marsh, of Winstandley, referred to in letter above.

¹ The document has been torn here, and in pasting in the Volume it is not laid flat out, so there may be another cypher behind the first; if so, it would be £200.

fo. 397. Letter dated at Preston 2 April, 1653, signed by E. Aspinwall and Robt. Cunliffe, accompanies the latter depositions.

(First Series, Vol. xxix., No. 899, fol. 270.)

fo. 270. Petition, which shewed that petitioner was one of the persons comprised in the act for sale of lands forfeited for treason, and that his estate had been surveyed and returned accordingly. He prayed to be admitted to compound according to the proviso in the act (23 November, 1653). Referred to Mr. Reading.

(First Series, Vol. xxix., No. —, fol. 495.)

fo. 495. Contract for the purchase of all that the Manors of Windleshaw and Ashton, with the lands, tenements, hereditaments, rents, royalties, rights, &c., thereunto appurtenant, also two tenements then in the occupation of Hugh Orral and William Manwayring or their assigns, late parcel of the estate of Sir William Garrard, by John Wildman, Esq.

Order for possession dated 24 January, 1653[-4].

(First Series, Vol. lxx., No. 2,233, fol. 691.)

fo. 691. Petition from John Wildman, which shewed that petitioner had purchased at Drury House, the mansions of Windleshaw and Ashton in Lancashire, parcel of the estate of Sir William Gerrard. Two tenements were under sequestration, and he could not get possession of them, so he prayed for an investigation of his title, which was agreed to (12 April, 1654). Order directing the Lancashire Commissioners to take off the sequestration, 19 July, 1654.

(Second Series, Vol. liv., No. 3,573, fols. 9, &c.)

fo. 9. Report by Mr. Readinge, by which it appeared compounder was one of the persons comprised in the Act

for the sale of lands forfeited to the State for treason, under the name of William Gerrard of Borroues[?], Lancaster. His estate was surveyed and returned 23 November, 1653. He petitioned the same day. By the survey he appeared to have been seized in fee of a messuage and burgage house in Lancaster, in lease for two lives under a yearly rental of 13s. 4d., worth on improvement £8.

Fine £10 (20 January, 1653[-4]).

fo. 12. Petition.

fo. 18. Order of reference.

See also under **Liverpool**.

William Gerrard, of Pinnington, Deoman.

(Second Series, Vol. xl., No. 2,346, fols. 573, &c.)

fo. 573. He was never sequestered or judicially impeached for any delinquency against the Parliament nor was he engaged in the latter war, but doubting that he might be liable to sequestration for something said or done by him in relation to the first war, he petitioned 9 August, 1649, and compounded on a particular by which it appeared he was possessed of cattle, goods, and household worth £40. 10s. Fine £2. 1s. 6d. (June 18, 1649).

fo. 576. Petition.

fo. 577. Particular.

Thomas Gildebrand, Gent., of Chorley Hall.

(First Series, Vol. lxxxiv., No. 2,909, fol. 635.)

fo. 635. Order to take possession of the manor of Chorley Hall, with the lands, tenements, &c., lying in Chorley, Blackwood, Lighturst, and Samlesbury, late parcel of the estate of the above sold to Robert Holt, Junior, Esq., on 28 September, 1653.

fo. 638. Petition of the above Thomas Gildebrand (no date or order), desiring to be admitted to contract for his estate.

For **Peter Gifford** see **Sir Thomas Fleetwood**.

John Girlington, Esq., of Thurland Castle.

(First Series, Vol. xcix., No. 3,948, fols. 223, &c.)

fo. 226. Letter dated at Ormskirke 27 January, 1652 [-3], signed E. Aspinwall, Robt. Cunliffe, mentioning that by theirs of the 7 September preceding, in the case of Cuthbert Parkinson, Thomas Burton, and Edmund Tatham, of Tunstall, touching certain lands lying at Thurland, they certified that they had taken the oath of the said Cuthbert Parkinson for payment of several sums of money for the debts of John Girlington, Esq., and further, as by the said certificate appeared, but having been informed that it had miscarried, they inclosed a copy thereof.

fo. 223. Copy of the preceding letter. Copy of the order made by the then Committee, dated at Preston October 16, 1646, ordering petitioners to take possession of the castle at Thurland, with the orchards, gardens, and demesne lands, and other the premises, for the term of 31 years then next ensuing, paying the rent mentioned in the deed to the Agents for Sequestration to the public use.

Richard Girlington, of Stanworth,¹ Gent., and Elizabeth Girlington, Widow, his Mother.

(First Series, Vol. xxix., No. 886, fol. 28.)

fo. 28. Petition of Elizabeth Girlington, of Stanworth, widow, which shewed that two third parts of petitioner's

¹ A hamlet in the township of Withnell in the parish of Leyland.

estate were under sequestration for her recusany only. She prayed to be allowed to contract for the same (18 January, 1653[-4]). Referred to Mr. Reading.

(First Series, Vol. xxix., No. 887, fol. 30.)

fo. 30. Petition of Richard Girlington, of Stanworth, gent. Prayer same as above (18 January, 1653[-4]). Referred to Mr. Reading.

(First Series, Vol. lii., No. 1,626, fols. 535, &c.)

fo. 535. Report by Reading, dated 7 March, 1654[-5], based upon an order of the 26 of September, 1654, upon the petition of Cuthbert Parkinson and Robert Lambert, gentlemen, trustees of Richard Girlington, of Stanworth, desiring allowance of their estate, and that the sequestration laid thereupon for the recusancy of Elizabeth Girlington, deceased then, mother of the said Richard, might be discharged. He found that the estate had been sequestrated as above stated; that it was let for £26. 13s. 4d. clear yearly. By a deposition of Robert Mather, who knew Elizabeth Girlington, the mother, it appeared she was dead and had been buried in the Parish Church of Preston on the 15 January, 1653[-4], he being present, and being her servant, he saw her dead body before it was interred; and he further deposed as to the sequestration.

He found that by an indenture, dated 28 January, 1653 [-4], between Richard Girlington, of Stanworth, of the one part, and petitioners, on the other, Girlington, for true payment of his debts mentioned in a schedule to that indenture annexed, and of such other debts as his personal estate would not extend to, and for the then present maintenance and livelihood of Elizabeth, Richard, and Nicholas, his children, and of his other children by Ann his then wife,¹

¹ Daughter of Thomas Gillibrand, of Chorley, and Anne his wife (daughter of William Blundell, of Crosby), and widow of William Hesketh, of Meales.

and for raising £200 towards the preferment of his eldest daughter and of £100 each for every other younger son and daughter, the said Richard demised to petitioners, their executors and assigns, all that his manor or capital messuage of Stubhall, with the appurtenances, in the county of Lancaster, and all the demesne lands, messuages, tenements, and hereditaments thereunto belonging, and another capital messuage called Stanworth, with its rights, members, and appurtenances, with a parcel of ground thereunto belonging (improved from the Commoners of Withnell), both which last grounds were the inheritance of Sir Richard Houghton, bart., and then late in the tenure of the said Elizabeth Girlington, widow, deceased, and wherein the said Richard Girlington had an estate determinable upon the death of the said Sir Richard Houghton and the said Richard Girlington, whichever should first happen, to have and to hold the said manor called Stubhall, unto petitioners, their executors and assigns, from the day of the date thereof for a term of 50 years then next ensuing, and to have and hold the capital messuage called Stanworth also for 50 years, if the estate of the said Richard Girlington of, in, and to the same should so long endure, paying £5 a year to the said Richard, his heirs and assigns, and to Sir Richard Houghton the usual rents for the same due and accustomed, upon special trust and confidence that petitioners should, out of the rents, pay the debts, and pay and allow to the said Richard Girlington, or to such person or persons with whom he should place his children by his wife Ann, £4 a piece yearly for their then present maintenance until they married or attained the ages of twenty years, and pay to his eldest daughter £200 and every other younger child £100 respectively, his son and heir only excepted. Provided that if the said Richard Girlington died during the lease, and at the time of his death his personal estate would not pay his debts, then the petitioners should out of the rents satisfy them so far as the monies received by them out of the said premises would extend. After the discharge of the debts, the legacies were to be provided for, and after the children should attain the ages

of twenty each, on demand the indenture was to be cancelled.

After referring to the debts and mentioning the names of those to whom sums were owing, and reviewing the testimony of witnesses examined, and other matters connected with the case, he submitted to judgment whether petitioners should not be permitted to enjoy the said lands according to the trust, and the sequestration discharged.

fo. 549. Order, referring the case to the Lancashire Commissioners.

fo. 551. Communication dated at Preston 31 October, 1654, signed by Edw. Aspinwall and Ro. Massey, mentioning that they had examined all such witnesses as had been produced before them and mentioning other points material in the case.

fo. 533. Interrogatories which were submitted to the witnesses on the part of the petitioners.

fo. 534. Examination of Robert Mather, of Withnell, husbandman, fifty-three years old ;

fo. 535. of Cuthbert Parkinson, of Bulbanck, co. Lancashire, gent., aged fifty-six years ;

fo. 556. of William Frith, of Charnock Richard, yeoman, forty-three years old.

fo. 557. Interrogatories administered on behalf of the Commonwealth to the witnesses Mather and Parkinson ; also to Richard Girlington, the person who demised the estates.

fo. 563. Copy of petition.

fo. 567. Certificate exhibiting the annual rental for the year ended 24 March, 1653[-4].

fo. 569. Certificate exhibiting that on search having been made no record of convictions for recusancy had been found against Richard Girlington.

fo. 571. Robert Lambert, of Marside [Myerside], co. York.

fo. 573. At the request of Mr. Dicconson, certificate of what proceedings had been taken in the case.

(First Series, Vol. lii., No. 1,626, fols. 524, &c.)

fo. 524. Petition from Cuthbert Parkinson and Robert Lambert, gent., Trustees of Richard Girlington, of Stanworth, gent., which shewed that a former petition had been presented desiring the discharge from sequestration of the estate of Richard Girlington, of Stanworth, aforesaid, sequestered for the recusancy of Elizabeth Girlington, then deceased. Petitioners having set forth their title, the Commissioners allowed them the messuage called Stanworth, but not the manor of Stubhall. Petitioners now prayed that the Commissioners in London would order the Lancashire Commissioners to certify whether or no the manor of Stubhall, with the appurtenances, was ever or then was sequestered for the recusancy of the said Richard Girlington, or for whom the same had been and then was sequestered. "11 May, 1655. The Commissioners to certify as desired."

fo. 527. Petition (26 September, 1654).

George Glabe, of Goosnargh.

(First Series, Vol. xxvii., No. —, fol. 281.)

fo. 281. Petition, which shewed that petitioner's father in his lifetime was seized in fee of a messuage in Goosnargh containing by estimation 12 acres of land worth £4 a year, of which two third parts were sequestered for his recusancy. He was then dead about a year past. Petitioner had never been a recusant, yet the Sequestration Agents, ever since the death of petitioner's father, held, and then continued to hold, the two thirds from petitioner.

Prayed, therefore, for an examination into the truth of the case, &c. (30 July, 1652).

"The Commissioners to certify," &c.

(First Series, Vol. ci., No. 4, 104, fols. 349, &c.)

fo. 351. Letter dated at Preston 21 October, 1652, signed by John Saurey and Robt. Cunliffe, mentioning that in observance of an order of the 30 July, 1652, made upon the petition of John Glave, of Goosnargh, they had taken the examinations enclosed for proof of the petitioner's title to the estate mentioned in the said petition ; and they certified that two thirds of the same were in the year 1645 sequestrated for the recusancy of George Glave, petitioner's father, then since deceased, that petitioner was conformable as by a certificate enclosed appeared, and that he had that day taken the Oath of Abjuration before them.

fo. 349. Examinations taken at Preston 20 October, 1652, of John Jackson, of Cockerham, husbandman, who said that he very well knew George Glave, then late of Goosenargh, and that he died in Scotland ; that deponent was by and present at his death ; that he died December 2, 1648.

Also of Richard Yates, of Goosenargh, who said that he was present and a witness to an indenture, dated September 1, 1642, made between Hugh Cowper, of Ormskirk, James Walmesley, of Turton, Thomas Wilson, and James Whittacre, of the one part, and John Mercer and John Glave, on the other.

Also of John Mercer, of Goosenargh, husbandman, who said that he knew a messuage and certain lands in Goosenargh belonging to George Glave which were sequestrated in 1645, and then remained so.

(First Series, Vol. ci., No. 4, 101, fols. 333, &c.)

fo. 342. Letter dated at Preston 11th February, 1652[-3], signed by E. Aspinwall, John Saurey, and Robert Cunliffe, mentioning that in observance of an order of the 20th of

January, 1652[-3], made upon the petition of Richard Blackborne, of Goosenargh, gent., and James Mercer, husbandman, touching their title to a messuage and tenement in Goosenargh, two third parts whereof were under sequestration for the recusancy of George Glave, then deceased, they had taken the depositions of several witnesses upon interrogatories touching the matter aforesaid, copies of which they enclosed ; and they certified that in the year 1645 two thirds of the premises were sequestered for the recusancy of the said George Glave, and then so remained.

ff. 333-4. Interrogatories administered to witnesses at an examination taken at Preston February 9, 1652[-3], of John Slater, of Goosenargh, butcher ;

fo. 337. Of John Mercer, of the same, yeoman ; and of John Glave, of Netherwyersdale.

(First Series, Vol. ix., No. 222, fols. 187, &c.)

fo. 187. Report by Mr. Readinge on a petition of Richard Blackburne and James Mercer, of Goosenargh, based upon an order of the 20 January, 1652[-3], in which petition they prayed for the discharge from sequestration of two thirds of a messuage lying in Goosenargh which had been sequestered for the recusancy of George Glave, then deceased. Mr. Readinge found that by an indenture, dated 2 December, 1643, made between George Glave, of Goosenargh, husbandman, John Mercer, of the same, husbandman, and John Glave, son of the said George, on the one part, and the petitioners, on the other, the said George Glave, John Mercer, and John Glave, for providing a competent jointure for Agnes, wife of the said George, and for the purpose that the messuage hereafter mentioned might be charged with and be liable to the payment of such debts as should be owing by the said George Glave at the time of his death, to which his personal estate would not extend, also the payment of £10 to Alice, elder daughter of the said George, and £18 to Ellen, younger daughter, and for

further considerations he granted, enfeoffed, and confirmed to the petitioners and their heirs and assigns for ever, all and singular that messuage lying in Goosenargh, then in the holding of the said George, his assign or assigns, of the ancient yearly rent of 13s. 6d., also a "Mosse roome or Mosse dale and the soyle of the same scituate lying and being upon Loft [?] Mosse in Goosenargh," then also in the occupation of the said George Glave, his assign or assigns, together the appurtenances, to and for such uses as were expressed in the said indenture; for the use of the said George for life, then and after, of and in a full moiety of all the house, barns, buildings, orchards, gardens, &c., belonging to the said tenement, to the use of the said Agnes, his wife, for life; at her death or marriage to go to petitioners for the use of Alice, eldest daughter of the said George Glave, and for the payment of his debts and to pay the two debts of the petitioners; and after to the use of John Glave, his heirs and assigns, with a proviso that if George Glave should not have paid before 2 February, 1646[-7], £18 to be given with Ellen, his younger daughter, to Richard Goose, her husband, for her marriage portion, the said trustees were to stand seized of certain closes of land for the use of the said Richard Goose, his executors and assigns, for the term of 12 years then next ensuing after 2 February, 1646[-7], for and in satisfaction of the said £18.

He found that on December 15 of the year first written, George Rogerson, being tenant of the messuage, attorned unto the grant within contained by payment of 6d. to petitioners by way of attornment in the presence of John Slater, Robert Blackburne, and Wm. Bee, as witnesses. John Slater, sworn before the Commissioners for Sequestrations in Lancashire, deposed to the above facts which he had witnessed; also that he knew Agnes, wife of George Glave, that she died about two years then ago, and that he was present when she was buried in the churchyard at Goosenargh; that he knew George in his lifetime, had heard, and believed, he was dead; that he died in Scot-

land about . . . years ago ; that there was then owing £10 to Hugh Cooper, lord and owner of the messuage, and other debts, and the portion to Alice.

John Jackson, sworn, deposed that he knew George Glave, who died at Whitehoone [? Whithorn] in Scotland about five years then ago.

John Mercer deposed that he had no estate in the premises other than the trust in the indenture mentioned ; he confirmed previous witnesses in other matters.

John Glave deposed that he with John Mercer was named joint purchaser with George Glave (deponent's father) of the premises mentioned, but he had no other estate therein but the trust. He confirmed other witnesses in relation to the monies owing and other matters. The Auditor for Lancashire certified that the personal estate of George Glave, a papist, was mentioned to have been "prized" in January, 1643[or 5], and his real estate seized in 1646. He did not find that more than two thirds had been sequestered otherwise than for delinquency, excepting an account exhibited by the then late Committee of the revenues and profits of the sequestrated estates in Lancashire from 20 November, 1649, to 2 February, 1650[-1]. He found that two thirds of the estate were let for £2 to Captain Whyte.

Mr. Leech certified that in the list of sequestrated persons received from Lancashire 19 April, 1652, he found the names of Thomas and George Glave mentioned as recusants only.

He submitted for judgment whether petitioners should not be permitted to enjoy the premises for the performance of the trusts, and the sequestration laid on for the recusancy of George Glave (then dead) discharged.

fo. 196. Certificate as to what proceedings had been taken in the matter.

fo. 197. Copy petition (26 May, 1653).

fo. 199. Petition.

fo. 202. Auditor's certificate mentioned above.

fo. 203. Communication from Lancashire Commis_

sioners, dated at Preston 11 February, 1654[-5], enclosing deposition and referring to other matters in the case.

ff. 207-214. Examinations and interrogatories.

fo. 224. Petition.

Thomas Golden, of Windwicke.

(First Series, Vol. xxviii., No. 834, fol. 60.)

fo. 60. Petition, which shewed that two thirds of his estate were under sequestration for his recusancy only, and that he was desirous to be allowed according to the act to contract for the same (17 January, 1653[-4]). Referred to Mr. Brereton.

Thomas Gooden [or Goodwin], of the Parish of Eccles.

(First Series, Vol. xxviii., No. 838, fols. 133, &c.)

fo. 133. Petition on behalf of himself and five small children, which shewed that a long time antecedent to date of proceedings he had disposed of £100 for the use of his children, which really was theirs, and the profit thereof to redound to them, and not to petitioner; that in the January preceding (1650[-1]) the said money was seized upon in the debtor's hands as petitioner's money, he being supposed to be a delinquent, and the Sequestrators in the country were at the time examining witnesses against him. He prayed for an order on the Sequestrators in the country, directing them to furnish petitioner with a copy of the charge, and to examine or cross-examine such witnesses as petitioner, on his own behalf, should nominate and could clear him, and that pending this the money might be allowed to remain in the debtor's hands (18 February, 1650[-1]). No order made.

fo. 135. Petition, mentioning former proceedings, and

desiring that the examinations which had been taken might be published, and a day fixed for hearing (18 June, 1651). "Publish—unless Cause be shewn in 14 dayes to the Contr: by Mr. Fowle."

fo. 137. Petition (14 January, 1651[-2]).

fo. 139. Order of reference to the Lancashire Commissioners.

fo. 141. Petition (14 April, 1652).

fo. 143. Certificate, shewing for what and when petitioner's estate had been sequestrated.

fo. 143. Certificate, that no information of delinquency was found relating to petitioner in the books of the Committee.

fo. 147. Certificate, exhibiting that petitioner's estate had been under sequestration. The last return relating thereto was made on 12 November, 1651. (April 7, 1652.) "Ri: Sherwyn audr."

THOMAS GOODWIN, OF ECCLES.

(First Series, Vol. c., No. 4,041, fols. 471, &c.)

fo. 473. Letter dated at Preston, 7 May, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that in observance of an order of the 18 February then last, upon the petition of Thomas Goodwin, of the parish of Eccles, requiring them to examine and certify the cause of the sequestration of the said Goodwin's estate, and that he should have the heads of his charge and liberty to cross-examine and to examine witnesses for himself, they had accordingly delivered him the heads of the charge, and had examined such witnesses as were produced by him (copies of the examinations enclosed, as well taken for as against him), and they further certified that he was first sequestered for recusancy, and subsequently upon the informations brought against him for delinquency. They gave order for securing his whole estate which then so stood, and at the time when he produced his witnesses he

publicly acknowledged before them that he went several times to Lathom House while it was kept as a garrison against the Parliament to see some of his friends, namely, John Briddock and others.

fo. 471. Order by the Commissioners for Compounding dated 18 June, 1651, passing the examinations referred to above, and that petitioner's cause should be heard in course, unless Mr. Fowle shewed cause to the contrary within fourteen days then next ensuing.

fo. 475. Examinations taken at Preston January 10th, 1650[-1], touching the delinquency of petitioner.

Thomas Widdall, of Monton, in the said parish of Eccles, sworn, said that in or about the time of Prince Rupert being in the county with his army, he, deponent, going to Ormskirk in search of four horses which had been taken from him by the said Prince's forces, saw petitioner in the Prince's army in or near Ormskirk, but whether petitioner carried any arms about him or not deponent knew not.

Richard Bannester, of Bury, clothworker, sworn, said that, immediately after Prince Rupert with his forces was driven away out of the county, he, deponent, being a soldier in Lathom House, then a garrison for the King, frequently saw petitioner abide and stay in the said garrison at several times for the space of a fortnight, three weeks, or a month together, but whether he, petitioner, bore arms in the said garrison, or was under any command, or in any employment, he, deponent, did not remember.

fo. 476. John Briddock, of Cheetam within Manchester, sworn, said that at the time Prince Rupert came into the county and prevailed with his army, deponent saw Thomas Goodwin, of Eccles parish, in or near Ormskirk, and there were some of Goodwin's neighbours with him, and deponent, asking Goodwin what he had to do there and whether he came to be a soldier in the Prince's army or no, he then said, No, but he had come to look after some horses or other goods (or words to that purpose) that his brother,

John Goodwin, had left ; and afterwards deponent saw the said Thomas in Lathom House, which was then a garrison for the King's party, and on asking him what he had there to do, he said he would go towards home as soon as he could pass free from the army. Sworn at Bury 3 February, 1650[-1]. Examined again at Manchester the 24 April, 1651, he said at the time Prince Rupert with his forces invaded Lancashire and prevailed in most parts thereof, and the said Prince's forces in that invasion marching and quartering near the said Goodwin's house, and afterwards prevailing, deponent being in Lathom House, then a garrison kept by the then late King's forces against the Parliament, he saw Thomas Goodwin several times in the said garrison, who said he was with some neighbours looking for goods that had been taken from his brother John by the said Prince's forces. On being asked if he came to bear arms in the garrison or no, he replied he did not, but intended returning to his own house speedily, and that there was another man in the garrison of the name of Goodwin, who was commonly called Lieut. Goodwin, and bore the office of Lieutenant to one Captain Hesketh. Deponent never saw Thomas Goodwin, of Little Bolton, bear arms in the said garrison of Lathom or any other place since the then late wars in this nation.

Thomas Widdall, of Monton, in Eccles, yeoman, sworn, said that he, at the time Prince Rupert invaded and prevailed in the county, had three horses and one mare plundered and carried away by the said Prince's forces, and he, deponent, following after the soldiers who had taken the horses, near Ormskirk met with Thomas Goodwin, of Little Bolton, and after asking Goodwin what occasion he had to be there amongst the said Prince's soldiers, he replied that he came to look for and, if possible, regain a horse that had been taken from his brother John ; and when deponent returned home he found John Goodwin very sore wounded by the said Prince's forces, and John said he had had a good horse taken by the Prince's forces, and had desired his brother Thomas to seek for and endeavour to regain

the horse. He would have gone himself only he was so badly wounded he could not leave his bed.

fo. 478. John Wright, of Flixton, husbandman, sworn, said that about twelve or fourteen years then ago he was present when a bond was sealed for some money lent by Thomas Goodwin, of Little Bolton, who desired all the witnesses then present to note that the money was lent for the use of and by him given to his children. By whom the bond was sealed, or to whom or in whose name, deponent could not remember.

fo. 479. Thomas Holden, of Pendleton, husbandman, sworn, said about three years then ago Thomas Goodwin lent him £27, which he, the said Goodwin, said was monies belonging to his daughter Mary, who was then about eight years old, some portion of which deponent had paid back in wheat and beans and some in money, in all £7. 15s., which he had paid at the earnest solicitation of the said Mary, who was then living.

fo. 480. Margaret Bradshaw, of Hartshillgate, parish of Eccles, widow, sworn, said that at the time Prince Rupert's army prevailed in the county a servant-woman of Thomas Goodwin came to deponent's house and brought a basket of linen clothes, which her master desired deponent to put in some safe place in her house if possible, to save them from the plundering of the said Prince's soldiers; but shortly after some of the said Prince's forces came to her house and plundered and carried away many of her husband's goods, and among them the linen belonging to the said Goodwin, and deponent's husband went to Sir Thomas Prestwich, and desired him to help him to his horses and goods which had been plundered, who replied if he would shew him (Sir Thomas Prestwich) the man who took them he would endeavour to get them again; and she had heard, and believed it to be true, that Goodwin followed after the said forces towards Ormskirk in hopes of getting his linen back again, but she had heard he never got them. She never heard, knew, or believed, that Goodwin bore arms against the Parliament.

fo. 480-1. John Wright, of Flixton, sworn, said that when Prince Rupert with his forces prevailed in the county, John Goodman, of Barton, brother of petitioner, came to deponent's house, being sore wounded by the said Prince's forces, and told witness that he had intended to have "overgone" the said forces with his gelding, but they pursued him and wounded him and took his gelding from him; and he told witness he did not know what course to take to recover his horse, but resolved to desire his brother Thomas to follow the said forces and endeavour to recover the horse, and he subsequently told witness he had prevailed upon his brother and he had gone. Witness never heard, nor did he believe, that Thomas Godwin ever bore arms against the Parliament. Sworn at Manchester 24 April, 1651.

Thomas Gooden,¹ of Little Bolton, in Pendleton.

(First Series, Vol. xxviii., No. 838, fols. 130, &c.)

fo. 130. Petition, which shewed that two thirds of his estate had been sequestrated for recusancy only; and he prayed to be allowed, in accordance with the proviso in the Act, to contract for it (29 November, 1653). "Referred to Mr. Reading to Report."

fo. 131. Petition, in which he prayed that he might be admitted as tenant to the two third parts of his estate for

¹ Whether this is the same person as the Thomas Gooden, or Goodwin, of the preceding paper is not clear. In the general index of the Calendar of the Committee for Compounding, &c. (*Domestic Series*), he is described as of Little Bolton, but in the Index of Places it is Little Molton, and this is the heading as given in the transcript of these papers. It clearly, I think, ought to be Little Bolton (in Pendleton, in the parish of Eccles). In *Lancashire Inquisitions*, Stuart Period, part ii. (Record Society's Publications, Vol. xvi.), p. 242, there is given the inquisition post mortem of Edmund Gooden, late of Little Bolton, in the parish of Eccles, whose second son, Thomas Gooden, is apparently the one referred to in these papers.

a year, according to an ordinance of 4 April, 1654 (17 May, 1654). "Our Register and Auditor to certify. And Mr. Reading to prepare a Lease for the said two third parts according to the said Ordinance, if not leased to any other. R. W., R. M."

For Margery Goore see Margery Simpkin.

For Goosenargh (Inhabitants of) see Sir Thomas Tyldesley.

Robert Goost,¹ of Culcheth.

(First Series, Vol. lxxxii., No. 2,611, fol. 151.)

fo. 151. Petition, shewing that two thirds of his property had been sequestered for his recusancy only. He therefore prayed to be admitted to contract for the same (30 December, 1653). Referred to Mr. Reading.

Edward Gore, Gent.

(First Series, Vol. xxvii., No. 829, fol. 1,065.)

fo. 1,065. Contract (28 February, 1653[-4]), for purchase, and order to take possession of a messuage and lands in Lydiatt by William Dicconson, gent., late parcel of the estate of Edward Gore, gent.

John Gore.

(First Series, Vol. xxvii., No. 829, fol. 1,067.)

fo. 1,067. Certificate dated June 22, 1654, signed by Tho. Brown, auditor, exhibiting the annual value of a

¹ This appears as "Graft" in the Calendar of the Committee for Compounding, &c., part iv., p. 3,176. I am inclined to think it ought to be "Gorst" or "Guest."

tenement in Bickersteth, co. Lancaster, sequestered from John Gore, a papist, and let to himself at £3. 4s. od. p añ.

For John Gorsc see Ann Molyneux.

James Gorsuch, of Gorsuch, Esq.

(First Series, Vol. lxx., No. 2,224, fol. 427.)

fo. 427. Petition from William Whitfield, of Robye, yeoman, which shewed that James Gorsuch, of Gorsuch, in the county of Lancaster, by his indenture, dated 29 August in the 18th of the late King [1642], did for the consideration therein mentioned convey to petitioner and Robert Rockley and the survivor of them and their heirs for 600 years certain lands in Morton and North Meales, in the county of Lancaster, which estate had subsequently been enjoyed by petitioner until then recently, when the Commissioners had "secured" the rents thereof, to the great prejudice of petitioner, who humbly prayed that he might be admitted to clear his title, and that the Commissioners might be directed to examine on oath such witnesses as he would produce (25 March, 1651). "To examine as to the Deed," &c.

fo. 429. Second petition. Matter referred to Mr. Reading.

ff. 433-452. Papers connected with the case.

(Second Series, Vol. liii., No. 3,538, fols. 557, &c.)

fo. 557. Report by Mr. Readinge, by which it appeared that petitioner was one of the persons comprised in the Act for Sale of Lands Forfeited for Treason, by the name of James Gorsuch, of Scarisbrick, co. Lancaster. He petitioned 9 October, 1653. By the survey of his estate he appears to have been seized in fee of one piece of mow-

ing ground called Muscarr Meadow and one other piece called the Hookes, in North Meales, worth together yearly £13. 10s.

In a former report on a petition by William Whitfield to the premises, he craved an allowance of an estate made by James Gorsuch, the now compounder, by indenture dated 29 August, 1642, whereby the said James Gorsuch and Elizabeth, his mother, in consideration of £200, demised the premises to the said William Whitfield and Robert Rockley, Esq., for 600 years, at a peppercorn rent. The sealing and delivery of which indenture was proved before the Court of Lancaster,

fo. 558. who certified that W. Whitfield enjoyed the premises until the late Commissioners found it was only by a grant from a papist delinquent (compounder), and acting upon instructions from London secured the profits of the estate.

It appeared that after the death of Elizabeth Gorsuch a third of the dwelling and of several parcels of land would come to petitioner, worth yearly £13. 19s. 0d.

It was certified by the surveyors that the said lands were the dower of Elizabeth, widow of Edward Gorsuch, gent., and were sequestrated for her recusancy. These lands had been leased by the Lancashire Commissioners unto her for seven years from January then last, at a rent of £6. 13s. 4d. The writings connected with her had been lost when her house was sacked in the time of the wars. Compounder was seized of certain old rents, worth annually £3. 7s. 0d.; also four tenements in lease for three lives, under a rent of £1. 14s. 6d., but worth after these lives £19. 13s. 6d.; also another tenement in lease for one life at 30s., and the improvement after it £12. 14s. 4d. as certified, but as cast up by Mr. Readinge £14. 14s. 4d. (dated 7 November, 1653).

fo. 562. Particular.

fo. 563. Order to refer to Mr. Reading.

fo. 565. Petition.

(First Series, Vol. lxxxiv., No. 2,911, fol. 639.)

fo. 639. Order to take possession of two thirds of a capital messuage called Gorsuch Hall, in Scarisbricke and Burscough in Ormskirke, with the lands, &c., appurtenant thereto, late parcel of the estate of the above, sold to George Pigott and William Smith, gentlemen, on the 16 November, 1653.

See also under **Thomas Gerrard**.

Elizabeth Gradell and William Gradell, Gent., her Son.

(First Series, Vol. lxxxiv., No. 2,912, fol. 641.)

fo. 641. Order to take possession of a messuage and lands in [Ulnes-]Walton and Ecclestone, late parcel of the estate of the above, sold to William Dicconson, Esq., on the 16 November, 1653.

(First Series, Vol. c., No. 3,992, fols. 102, &c.)

fo. 102. Letter dated at Wigan the 25 of August, 1654, signed by E. Aspinwall and Ro. Massey, referring to an order of the 25 July then last, in the case of William Dicconson, gent., touching a purchase made with the trustees at Drury House of a messuage and lands in Ulnes-Walton and Eccleston with the appurtenances, then late parcel of the property of William Gradell, gent. They were required to certify what lands by name had been sequestered for the recusancy of Elizabeth Gradell, named in the said order.

In observance whereof they enclosed a particular of the lands in Ulneswalton and Eccleston sequestered for the recusancy of the said Elizabeth and the popery and delinquency of the said William Gradell, her son, as they found the same surveyed and let by their predecessors, but how the same were particularly distinguished or what

part thereof belonged to her and what to him they could not certainly express, so they submitted it to their Honours' judgments.

fo. 499. A particular of the closes surveyed as the estate of William Gradell and Elizabeth, his mother, taken in January, 1650[-1], by G. Pigot, gentleman, one of the Commissioners for the County of Lancaster. Names and areas of the fields are given.

(First Series, Vol. xx., No. 571, fol. 354.)

fo. 354. Petition from William Dicconson, of London, gent., which shewed that petitioner had purchased from the trustees at Drury House a messuage late the estate of one William Graddell, a delinquent, the said being sequestered for the recusancy of Elizabeth Graddell, mother of the delinquent. She not having made out her claim it was referred to the Lancashire Commissioners, who had returned their report. Petitioner prayed for a hearing, in order that he might obtain possession on hearing the petition was granted, and petitioner to have all arrears of rent then due. Communication dated 25 July, 1654, signed by T. Bayly, Clerk to the Commissioners for Managing Estates under Sequestration, referring to past proceedings, and directing the service of a notice upon Elizabeth Gradell to shew cause why they, the Commissioners, should not discharge that part of the lands which she had pretended to have been her jointure, she not having made out her claim (Copy). At foot, affidavit of William Lagton, of London, who had shewn Elizabeth Gradell the original of the above order on 25 August preceding.

Dorothy Grant, of Sowerby.¹

(First Series, Vol. xcix., No. 3,946, fol. 217.)

fo. 217. Letter from Preston dated 21 April, 1653

¹ A hamlet in the parish of St. Michael-on-Wyre.

signed by Robt. Cunliffe and G. Pigott, mentioning that in observance of instructions they had surveyed two thirds of the estate of the above, sequestered for popery ; that after posting the same, they, at the day appointed for letting it, had received several offers for the same, among them one by Richard Latus, who being the highest bidder, they had contracted with him and leased it for seven years, commencing from the 2 February, 1650[-1]. This they certified at the farmer's request.

For **Thomas Grant** see **John Parkinson**.

For **Edward Greene** see **Henry Linaker**.

For **John Gregson** see **John Abbot**.

James Green, of Astley.

(First Series, Vol. ix., No. 1,959, fols. 643, &c.)

fo. 643. Report, dated 20 December, 1653, by Mr. Peter Brereton, upon an order of March 17, 1652[-3], based on a petition of Ralph Standish, Roger Bradshaw, and Thomas Creamer, Esqrs., gentlemen, guardians of Edward Tildesley, son and heir of Thomas Tildesley, complaining that the Commissioners for Lancashire, having been ordered to discharge the sequestration of the manors, messuages, lands, and tenements of the said Edward Tildesley, had refused to discharge a small tenement of the yearly value of £1. 13s. 4d., sequestered for the delinquency of one James Green, who had had a lease thereof, which had determined. He found, after reviewing the case at length, dealing with marriage and other settlements and leases, that petitioner was entitled to the tenement, so he submitted to their consideration and judgment what estate Green had in it, and whether the sequestration ought not to be discharged.

fo. 646. Affidavit of Cuthbert Howell, of Asley. De-

position of William Gerrard that he had examined the above referred to affidavit with the record then remaining at Wor[cester] House, and that it was a true copy.

fo. 647. Communication dated at Wigan 17 June, 1653, signed by E. Aspinwall and Nicholas Cunliffe, mentioning proceedings taken before them, enclosing copies of the examinations, and other points in the case.

fo. 649. Interrogatories administered to witnesses on behalf of petitioners.

fo. 650. Deposition of Cuthbert Howell, of Astley, felt-maker.

ff. 651-652. Interrogatories administered to him on behalf of the Commonwealth, and his replies.

fo. 653. Reference to Lancashire Commissioners.

fo. 655. Petition.

fo. 717. Affidavit of Richard Crawshaw.

fo. 725. Petition.

fo. 727. Same.

ff. 729-745. Report.

fo. 777. Motion in the cause by Mr. Graves.

fo. 781. Petition.

ff. 789-794. Report.

fo. 795. Reference to Mr. Brereton.

fo. 797. Petition.

fo. 799. Affidavit of Frances, widow of Thomas Tildesley, late a colonel in the King's Army, and of Morley, co. Lancashire, deposing that she had had many children by him, and that Edward was under the guardianship of petitioners, and eldest son of the said Thomas.

fo. 800. Affidavit of Thomas Barson, of Newcastle-on-Tyne.

fo. 803. Affidavit of John Parker, of Myerscough, as to the date of death of Colonel Tildesley, &c.

fo. 802. Affidavit of Thomas Waring, of Gray's Inn, gent., deposing that a certain writing then shewed to him was sealed, signed, and delivered on or about the day it was dated (8 January, 18^o Ch. I. [1643]) in his presence by Edward Tildesley, then of Mierscough, Esq. George Pres-

ton, Alexander Standish, Robert Rockley, and Edmund Breres, Esq., and deponent, with one Robert Dewhurst, George Waring, Richard Waring, and Thomas Anderton (all then present) all endorsed their names not only as witnesses to the indenture, but of livery and seisin, which in deponent's presence was given and made by the said Edward Tildesley and George Preston in and upon the capital messuage or Manor House of Morleys, in the name of all the manors and lands in the county of Lancaster, to the use of Roger Bradshaw and others.

Deponent knew the handwriting of all the witnesses, who, except himself and Thomas Anderton, were then all dead. He also deposed he was well acquainted with the purport of the deed, for he drew it, he then being clerk and kinsman to the said Edmund Breres mentioned in the deed, who was a Counsellor-at-Law. He also well knew Edward Tildesley. Sworn before the Commissioners 2 July, 1652.

(First Series, Vol. xcvi., No. 3,855, fols. 427, &c.)

fo. 427. Interrogatories to be administered to Raph Standish, Roger Bradshaw, and Thomas Creamer, Esqrs., guardians to Edward Tildesley, son and heir of Thomas Tildesley then deceased :

- (1.) Whether deponent knew a messuage and tenement in Asley in the possession of James Green, and sequestered for his delinquency ?
- (2.) What term and title had the said Greene to the said messuage and tenement, and from whom ? Whether was the term for life or lives, and whose ; and who was the last life ? How long since died he, and to whom was the said come and descended ?

Examinations taken on the above at Wigan before the Commissioners on the 17 June, 1653, of Cuthbert Howell, of Astle, feltmaker.

ff. 428-429. Interrogatories administered on behalf of the Commonwealth to the same person.

fo. 431. Letter, same date, from Wigan accompanying.

George Greene, of Woodplumpton, Yeoman.

(First Series, Vol. xxvii., No. 820, fol. 654.)

fo. 654. Petition, shewing that two thirds of his estate had been sequestered for his recusancy only. He prayed, therefore, to be allowed to contract for the same (22 December, 1653). Referred to Mr. Reading.

Richard Greene, of Cleebeley, Husbandman.

(First Series, Vol. xxvii., No. 820, fol. 646.)

fo. 646. Petition similar to the above, dated 12 January, 1653[-4]. Referred to Mr. Reading.

Richard Green, of Bower House, Garstange, Gent.

(First Series, Vol. xcix., No. 3,944, fol. 199.)

fo. 199. Letter dated at Preston 2 March, 1652[-3], signed by E. Aspinwall, John Sawrey, and Robt. Cunliffe, mentioning that having formerly surveyed and posted and let the sequestered estate of the above, a papist, unto Nicholas Shuttleworth, Esq., at a clear yearly rental of £36. 5s. od., being the highest offered, they leased the same to him for seven years. They desired the Commissioners above to approve of the said lease.

(First Series, Vol. xli., No. 1,283, fol. 618.)

fo. 618. Petition from Arthur Mallock, by which it appeared that he was the purchaser of Bower House and the land belonging thereto, and the lands and tenements in the possession of Richard Green, a delinquent, in Garstang, and properly alleged to belong to the Savoy, and called Green's tenement. Petitioner complained that possession of a part of his purchase was refused him by Colonel Shuttleworth, he claiming to have purchased the land in dispute. On hearing the cause, the decision, subject to certain conditions, was given in favour of Colonel Shuttleworth.

(First Series, Vol. xxvii., No. 820, fols. 664, &c.)

fo. 664. Petition from Richard Green, which mentioned that petitioner's estate was included among those scheduled in the Act to be sold, but that he, by a proviso in the Act, was at liberty to compound for it, or any part of it; that in the Survey (annexed to petition) a messuage and divers lands in Garstange, then valued at £20. 13s. 4d., were included, as well as other lands then in the occupation of Francis Hewettson and Lawrence Towning. He prayed to be allowed to compound for these (26 June, 1653). "Referred to Mr. Reading."

fo. 666. Petition from Dorothy,¹ wife of Richard Green, which shewed that the estate of her husband had been and then was under sequestration for his delinquency. Prayed that she might receive the fifth part of the said estate for the maintenance of herself and children (11 October, 1650). "Ordered."

fo. 682. Petition from Richard Greene, of Lancaster and Garstange, gent., which shewed that petitioner had in case

¹ Daughter of John Brockholes, of Claughton, half-sister to Thomas and Augustine Brockholes, mentioned Vol. i., p. 243, and to John Brockholes, *ib.* p. 245.

of appeal petitioned the Barons for relief, he having been on some mis-information seized and secured upon some charge of delinquency, though not guilty, and some proceedings therein remaining with Mr. Vaughan, Register of the said Barons, then uncertified as by the auditor's certificate of 28 May then last (1652) appeared, wherein petitioner hoped to be relieved on return thereof and full examination of his witnesses in the country, he not having been sequesterable, or if sequestered, illegally, and not by order of the London Commissioners, and since January, 1649[-50]. He therefore prayed for an order directing Mr. Vaughan to certify, &c. "5 Aug. 1652." "A letter to Mr. Vaughan to certify copies of all he had in the case and according to ex: and certify," &c.

(Second Series, Vol. liii., No. 3,496, fols. 11, &c.)

fo. 11. Report by Mr. Readinge, by which it appeared that this was a petition by Richard Shutleworth, Nicholas Shutleworth, John Leybourne, and Walter Strickland, in the co. of Lancaster, Esqrs., desiring to compound for their interest in the estate of Richard Greene, a delinquent, as his assignees in trust for the use of Dorothy, then wife of the said Richard Green, for her life, for her joynture, after the death of the said Richard Green. The said Richard was one of the persons comprised in the Act for Sale of Lands Forfeited for Treason. The estate was surveyed and returned 20 June. Petition filed 30 same month. A particular was put in shewing the parcels petitioners desired to compound for, being the parcels contained in the 1st, 2nd, and 3rd leaves, and the one parcel of the 4th leaf of the Survey, and the fee simple lands in the 9th and 10th leaves thereof, namely:—

"All that messuage and tenement in Garstange and several parcels of land called ffoggie home, the Wood, The Oaken Grove, Aine's brick and black earthe, High feildes, Killing buts, Rawe feilds, Well Hill, Moss Meadow, Walton Meadow, Barne flat, The Lyes, the Intack, a piece

of Inclosed Mossground with another part in Pilling, worth yearly £20. 14s. 4d. ; also a pasture called Parrock, in the tenure of Francis Howelson, worth 18s. yearly ; and a messuage or Burgage House in the Town of Lancaster, in the tenure of Ffrancis Hewetson, of the yearly value in possession 12s. 4d., and after three lives (all living) £1. 10s., also another small Burgage House in Lancaster, in the occupation of Lawrence Towing, worth in possession 13s. 4d., after two lives £1."

The petitioners, being feoffees in trust, desired to compound for the preservation of the jointure of Dorothy. There had been a petition preferred on the 15 June, 1653, in the name of the said Richard Greene, which was referred, and report drawn up, but no further proceedings had been taken thereupon.

fo. 15. Order of reference to Mr. Readinge.

fo. 17. Petition.

fo. 19. Particular.

fo. 21. Report by Mr. Readinge upon a petition by Nicholas Shutleworth in the same matter, he desiring now to compound for the reversion in fee of the property held by Dorothy Greene as her jointure.

fo. 27. Affidavit of John Harrison, of the parish of Garstange, taylor, a witness to a deed dated 1 October, 1649.

fo. 29. Petition of Nicho. Sutleworth.

fo. 32. Particular of the portion of the estate which petitioner desired to compound for.

fo. 33. Order of reference to Mr. Readinge.

First fine, £21. 4s. 3d. Second fine, £24. 10s. 10d. (2 August, 1653.)

(First Series, Vol. lvii., No. 1,829, fols. 387, &c.)

fo. 387. By the Commissioners for Managing Estates under Sequestration, who had been ordered by the Commissioners for Removing Obstructions to certify Col. Shutleworth was assignee of the whole estate of one Richard

Green or of a part, if of a part, what part; and they certified that on the 27 July, 1653, the said Nicholas Shuttleworth petitioned, alleging that Richard Green (whose name was inserted in the then last Act for Sale) sold several lands in the town and county of Lancaster and a messuage in Garstang, and he prayed that he might be admitted to compound for his interest as assignee, and produced a copy of the said survey which was expressed to have been returned the 7th June, 1653, and transmitted the 20th. He delivered in a particular of such part of the said estate for which he desired, as assignee of the said Richard Green, to compound, all being comprised in the jointure of Dorothy, wife of the said Richard Green. A description of the property follows; also an abstract of the title and the proceedings had.

fo. 391. Communication from the Commissioners for Removing Obstructions to the above Commissioners directing them to certify on the above matter.

fo. 393. A petition from Arthur Mallock, which shewed that long before these proceedings had been taken petitioner had purchased at Drury House the estate of Richard Greene above, a papist delinquent, and on payment of his full purchase money ultimately obtained an order for possession by the Sheriff, but was denied part of the aforesaid purchase, inasmuch as Col. Nicholas Shuttleworth "pretended" to be assignee to a small part of the said land, in order to which he had procured an order of reference to their Honours to certify whether he was assignee to a part or the whole of Green's property, which order was dated 15 February, 1654[-5]. Petitioner often wanted, though he never had been summoned by the said Colonel or his agent, to appear either at Worcester House or before their Honours concerning the premises.

He prayed that, inasmuch as he had paid in the full purchase money and his deed had been enrolled, their Honours would be pleased to set a day on which petitioner's case might be heard, and that he might not again be surprised as he had been, without hearing.

fo. 395. Particular of the estate.

(First Series, Vol. xxvii., No. —, fols. 641, &c.)

fo. 641.

28 September, 1653.

Contract with the Trustees for Sale of Lands, &c., Forfeited to the Commonwealth for Treason, for the purchase of several messuages, lands, and tenements belonging to the Savoy Hospital, being in the parish Garstang, co. Lancaster, late parcel of the estate of Richard Green, gent. Order to Lancashire Commissioners to permit the purchaser to quietly enjoy the premises and take the rents; signed by

"SAM GOOKIN.

HENRY SEALY.

MATT. VALENTINE.

ARTHUR SAMWELL.

WILLIAM SKYNNER.

"Ex: Intr. GEO: BILLINGHURST, Secr."

fo. 643. Similar contract and order in favour of same person, described as of Mary le Savoy, for purchase of several messuages, &c., in Garstang, with their appurtenances, called Bowers House, late parcel of the estate of Richard Green, gent.

Roger Greene, Anne Latus, and Ellen Lund.

(First Series, Vol. xcix., No. 3,949, fols. 231, &c.)

fo. 231. Letter from Preston 9 December, 1652, signed by Robert Cunliffe, John Sawrey, and E. Aspinwall, mentioning that in observance of an order of the 16 November, 1652, made upon the petition of Thomas Fanshaw, of London, Esq., touching certain lands and tenements in Midghall and Badsbury,¹ co. Lanc., they had taken the examination enclosed, and certified that in 1645 two thirds of the several tenements of Roger Greene, Ellen Lund, and Anne Latus were by order of the then Committee (copy enclosed)

¹ Both in Myerscough, an outlying township of Lancaster parish.

sequestered for their several recusancies and had since so continued, and that the several tenements were farmed out at that time.

fo. 227. Examination of Cuthbert Tildesley.

fo. 229. Order sequestrating the properties. (Copy.)

fo. 233. Order dated 21 October, 1646.

(First Series, Vol. xcvi., No. —, fol. 403.)

fo. 403. "Preston in Coñ Lanc^r

"Att the Comittee, October y^e 21th 1646.

"fforasmuch as by Informaçon Exhibitted upon oath By George Crowe and Richard Rawlinson twoe of the Apprizors for Seq^{cons} in the hundred of Amoundernes,

"Itt appeareth y^t the Severall psons hereafter *viz^t* Roger Greene Anne Latewise and Ellen Lunde having by a former Order their estates secured for Recusancie and have been suñoned to appeare before this Coñittee and thereupon have confessed themselves to be Papists and offred to compound wth the said Agents for their Estates,

"Itt is therefore ordered that the said Agents shall forthwith proceed in Seq^{con} of $\frac{2}{3}$ pts of the Severall Estates of the psons abouesaid and shall dispose thereof for the use of the publike according to Ordinance of Parliam^t.

(Signed) ALEX RIGBY

PETER EGERTON

THO BIRCHE."

(First Series, Vol. xxvi., No. —, fols. 77, &c.)

fo. 77. Petition from Thomas ffanshaw, of London, Esq., which shewed that certain small parcels of land in the County of Lancaster, then lately in the possession of [Roger] Green, [Ellen] Lund, and [Ann] Latus, had been sequestered for their recusancy, but on the death of one [Edward] Tilsley, then lately deceased, the property became petitioner's. He prayed, as he had nothing else to subsist on other than this small estate (£11 a year), that the Com-

missioners would hear his cause, which appears to have been down for hearing some three months later (20 April, 1654). "To be heard next Thursday after the Causes of the Day."

fo. 85. Report by Mr. Reading on this case (dated 22 March, 1653[-4]). He found that Queen Elizabeth by her Letters Patent under the Seal of the Duchy of Lancaster bearing date 8th [or 12th] of February, 1601[-2], for the considerations therein expressed, demised and granted to Thurstan Tilsley, of Mierscough in the County of Lancaster, gent., one messuage and lands called Midgellhough, on the south side of Mierscough Park, then in the occupation of one Robert Green; and another messuage, and close containing three acres, then in the occupation of Robert Garstang, and a messuage with six little closes; and another messuage with a close and a croft containing six acres, in the then occupation of Thomas Bacchus; and a messuage and four little closes containing 10 acres, in the occupation of Christopher Hudson, with the yearly rent of 13d. for the brewhouse yard there; and a cottage, then in the occupation of John Pensax, and a cottage in the tenure of William Singleton, and a house with a croft, in the occupation of William Whorton, all lying in Mierscough within the office of the Master fforester of Amonderness, parcel of the possessions of the Antient Dutchy of Lancaster, to have and to hold to the said Thurston and his assigns for the lives of Edward Tilesley, son of Thomas Tilsley, then deceased, and of Edward and Richard, sons of the said Thurston Tilsley, and the life of the longer liver of them, under the yearly rent of £6. 12s. 9d.

That Thurston Tilsley, by his indenture dated 26 October, 1604 (reciting the lease), in consideration of £20, demised and assigned to Anthony Lund a messuage in Midghaugh, with the appurtenances then in the possession of the said Anthony, to have and to hold to him and his assigns for the life and lives of the said Edward Tilsley, Edward and Richard Tilsley, and the longest liver of them, at a yearly rental of 20s.

fo. 86. That by another indenture, dated 7 February, 1608[-9], made between Henry Lund, of the one part, and Richard Newsom, Thomas Sharples, Robert Hudson, and James Davy, on the other part, reciting the former estates, and reciting that the said Henry Lund was possessed of the said messuage so demised to the said Anthony Lund as aforesaid by virtue of an assignment from his father, Anthony Lund, the said Lund, for the consideration therein expressed, assigned all his interest in the said messuage to Richard Newsom and the others above mentioned to the uses therein mentioned.

That by another indenture, dated the 8th November, 1606, made between the said Thurston Tilsley, on the one part, and Roger Green, of the other, reciting the lease from the Queen to the said Thurston Tilsley, and that he by virtue thereof was seised of a messuage with certain lands in Mierscough aforesaid, in a place called Midghall, late then in the tenure of Oliver Green, the said Thurston Tilsley, for the considerations therein mentioned, demised the said messuage and lands in Midghall to the said Roger Green, to have and to hold to him and his assigns for the lives of the said Edward Tilsley, Edward and Richard Tilsley, and the longer liver of them, at a yearly rental of 7s. 8d.

He found that the late King James by his Letters Patent under the Great Seal of England and Seal of the Duchy of Lancaster bearing date at Westminster the 21 March, 1622[-3], for the consideration therein expressed, gave and granted to Edward Bodley and William Weltden, gent., among other things, all his messuage, with the houses thereupon built, and certain lands called Midghaugh, by Mierscough Park, then or lately then in the occupation of John Green, and all and singular all other the premises demised to the said Thurston Tildesley as aforesaid, with the reversion, remainder, &c., dependant or expectant, to have and to hold to the said Edward Bodly and William Weltden, their heirs and assigns, to the use of the said Edward Bodly and William Weltden in fee farm for ever, "*Reddend*" to the

King, his heirs and successors, the rents before mentioned, amounting in the whole to £6. 12s. 9d.

That by an indenture, dated 10 December, 1634, made between the said Edward Bodly, on the one part, and William ffanshaw, of Jenkins, Esq., on the other, reciting the grant of the then late King to the said Edward Bodly and William Weltden, and reciting the said William Weltden to be then dead, the said Edward Bodly, for the consideration therein expressed, granted and confirmed to the said William ffanshaw and Sir John Wostenholme, their heirs and assigns, among other things all and singular the said premises, to have and to hold to them, their heirs and assigns, for ever.

That by a deed poll dated 1 June, 1649, the petitioner, Thomas ffanshaw, being second son of the said William ffanshaw, Esq., deceased, and the said Thomas ffanshaw, of Jenkins, Esq., reciting the indenture of 10 December, 1634, and also reciting that by an indented deed, date 8 February, 1634[-5], declaring that the said Sir John Wostenholme and the said Thomas ffanshaw, of Jenkins, were nominated by him in trust for the said Wiff ffanshaw to the intent that they should dispose of the premises as he should limit and appoint. The said Wiff ffanshaw did thereby declare, limit, and appoint the premises in Mierscough aforesaid after his death to and for the said Thomas (petitioner) and his heirs for ever, and reciting that the said Wiff was then since dead, the said Thomas ffanshaw, of Jenkins, in discharge of the trust reposed in him at the request and appointment of the said Thomas ffanshaw (petitioner), certified by his being a party to the deed, remised, released, and for ever quit claimed to the said Sir John Wostenholme all the estate, right, title, interest, claim, and demand whatsoever of him the said Thomas ffanshaw, of Jenkins, of, in, and to the premises, the trust whereof in and by the said deed indented last before mentioned was limited and appointed after the decease of the said William ffanshaw (the petitioner), his heirs and assigns for ever, to have and to hold to the said Sir John Wosten-

holme and his heirs to the use of the said Sir John Wostenholme, his heirs and assigns, for ever.

He also found by several other conveyances made by the said Sir John Wostenholme and others in the said month of June, 1649, the estate of all and singular the premises were settled to the use of petitioner and the heirs of his body, and in default to the use of John Ayliff, second son of Katherine Ayliff, widow, sister of petitioner, and the heirs of his body. Remainder to the said Katherine for life, with other remainders in tail. Remainder in fee to the right heirs of petitioner for ever.

Petitioner, by his petition exhibited 10 November, 1652, alleged that the premises, or some part thereof, were under sequestration for the recusancy of Roger Green, Ellen Lund, and Ann Latus, or one of them, who were tenants of the said lands, and that the title under which they claimed having been determined by the death of Edward Tilsley, the said estate of right belonged to petitioner, and therefore he desired a discharge of the sequestration. Whereupon it was referred to the Commissioners of Lancashire to examine and certify the ground and cause of sequestration and for whose delinquency, and when first sequestered, and whether the said Edward Tilsley was dead, and if so, when, and it was then referred to Mr. Bradshaw. The Lancashire Commissioners certified that two third parts were by order of the then Committee sequestered in the year 1645 for the delinquency of Green, Lund, and Latus, and so had continued, and they certified, on the deposition of Cuthbert Tilsley, gent., that Edward Tilsley (his brother) died and was buried in the parish church of Garstang on the 4 or 5 of September then last, and that he (deponent) had seen divers leases of several tenements lying in Midghaugh and Badsbury made by his father, which were claimed by petitioner, and he knew the tenants were to hold their several tenements for their lives, *vizt.*, the lives of Edward, son of Thomas Tildesley, and of Edward and Richard, sons of Thurstan Tildesly, deponent's father ; that all the three lives were dead ; the said Edward, depo-

ment's brother, was the last left living mentioned in the said leases; and that he knew all the tenements within Midghaugh and Badsbury were out of lease, and fell into the hands of petitioner. He the better knew this, for he had lived a very near neighbour to the tenants for many years then past.

The then present Commissioners certified (4 November, 1653) that they then had examined two additional witnesses. John Cross deposed to the death of Edward Tilsley; James Lund deposed to the same effect; and both to the fact that Edward Tilsley was the last life mentioned in the leases. So he submitted to judgment whether the sequestration of the premises should not be discharged, unless it appeared that Roger Green, Ellen Lund, and Ann Latus had some further estate in the premises than was before alleged (22 March, 1653[-4]).

fo. 95. Order (10 November, 1652) referring case to Lancashire Commissioners.

fo. 97. Petition (10 November, 1652).

fo. 99. (28 November, 1653.) Certificate as to what proceedings had been taken in the case.

fo. 102. Preston, 4 November, 1653. Communication from Lancashire Commissioners, E. Aspinwall, Ro. Massey.

fo. 105. Examinations of John Crosse, of Barton, yeoman, and James Lund, of Myerscough, taken at Preston 16 September and 3 November, 1653.

Edward Tildesley is in the first deposition described as of Stanzaker, gent.; in the second as of Myerscough, gent.

fo. 107. Communication from Lancashire Commissioners dated at Preston 9 December, 1652.

ff. 109-110. Examination of Cuthbert Tildesley taken 8 December, 1652, at Preston.

fo. 111. Certificate dated 21 October, 1652, signed by Alex. Rigby, Peter Egerton, Tho. Birch, exhibiting on the information of George Crowe and Richard Rawlinson, two of the "Apprizers" for Sequestration in the Hundred of

Amoundernes, the cause for, and the date of, the sequestration of the estate in case.

**John Greenhalgh, of Brandlesome, Esq.
(Governor of the Isle of Man).**

(First Series, Vol. c., No. 4,000, fols. 179, &c.)

fo. 179. Letter from Preston dated November 20, 1650 signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that in observance of 29 June then last requiring them to examine and certify the cause of the sequestration of the estate of John Greenhalgh, Esq., they called the Agents employed in it before them, who informed them that in the year 1643 by virtue of a Commission to them directed they sequestered (among others) the estate of petitioner, but what the cause was they knew not, only they thought, and the Lancashire Commissioners believed, it was because he was absent from his own house, and was Captain of the Isle of Man under the then Earl of Derby, in which command he was, and, as far as they knew, still continued.

fo. 180. The information of George Sharples, of Freckleton, gent., who said that he, about four years then ago, had occasion to go to the Isle of Man, and there saw John Greenhalgh, late of Brandlesome, Esq., who was then Governor of the Isle of Man, whereby he represented the Earl of Derby in all things concerning the government of the said Island as deputy and immediate officer under the said Earl; and being further asked in what way the said Island was governed, he said that the Island was divided into four parts, and in every part was placed a sergeant-major who commanded the soldiers of that part of the country upon all actions for the defence of the Island, which sergeants-major received commissions from the said Mr. Greenhalgh, the Governor.

The information of Roger Woodrofe, of Preston, brick-

layer, who, sworn, said that having occasion to travel into Ireland about occasions of merchandise, in his return for England, which was about four years then ago, by contrary winds he was driven into the Isle of Man, where he stayed about a week, during which stay he saw at Castle Town Mr. John Greenhalgh, whom the inhabitants then called Governor of the said Island, but what command or employment he had there informant knew not.

fo. 181. Information of William Alker, of Samlesbury, husbandman, who, sworn, said that he had then formerly lived with Mr. Parr, then late Bishop of "Ileman," and after his death with Mrs. Parr for the most part of twelve years then last past, and that he knew John Greenhalgh, Esq., had been Governor of the said Island for six or seven years then last past, and that informer being desirous about Midsummer then last past to come from the Island to his friends in England, he repaired to Mr. Greenhalgh, who was then Governor, and desired his "Pass" for informer to pass quietly to England, which he accordingly obtained, and by virtue of it he was allowed to pass quietly to England.

fo. 183. Copy of the order dated at the Committee Room, Wigan, 22 October, 1647, directing the Agents to seize and sequester the estate John Greenhalgh held in right of his wife, called Stanlehurst, lying in Samlisbury, signed by I. Bradshaw, John Starkie, and Edw. Butterworth.

fo. 184. At the Committee of Lords and Commons for Sequestrations, 9 July, 1647, order requiring the Lancashire Committee to examine into the matters connected with and certify the true state of the case.

fo. 185. On an appeal before the Barons of the Exchequer, Commissioners of Appeals in Cases of Sequestration, on the 19 June, 1650, upon the petition of the above, it was ordered that it be referred to the Commissioners for Sequestrations for Lancashire to pursue the directions of a former order, examine and cross-examine such witnesses and proofs as should be produced on both sides on oath, and to certify the whole within a month, sealed up, to the said Barons, and to take care that no copies of the proofs

or examinations were given or other discovery made thereof to the said appellant or any for him.

fo. 187. At the Committee of Lords and Commons for Sequestrations, 23 July, 1647.

In the case of the creditors of the above, upon the report of Mr. Bradshaw, to whom it had been referred, a copy whereof was annexed, it was ordered that the report be allowed and confirmed, and that the Committee by whom the sequestration was made upon proofs made before them of the debt in the said report mentioned, and . . . the trusts of the said deed were to be performed, and the Committee to take an account from the trustees from time to time, and the said trustees to see that the State was not wronged, and other things were to be done as in the report was expressed, unless the Committee shewed just cause to the contrary to the above Committee within a month after notice of the above order.

ff. 189-196. The report referred to above.

(First Series, Vol. c., No. 4,000, fols. 169, &c.)

fo. 169. Examinations, taken at Preston 24 February, 1651[-2], of John Wodhouse, of Larbrecke,¹ gentleman, one of the witnesses to a deed executed by Richard Burgh, of the same place, then deceased, dated 18 April, 3^o Caroli [1627], made between him and Alexr. Rigby, Esq., and others, and said that Alice Greenhalgh, late wife of John Greenhalgh, Esq., deceased, was formerly wife of the said Richard Burgh, and enjoyed the lands limited to her jointure in the said deed, and received the profits thereof to her own use according to the intent of the said deed, till she intermarried with the said Mr. Greenhalgh; he then enjoyed the same in her right till the same was sequestrated for his delinquency, and further said that during her widow-

¹ Richard Burgh, of Larbrick, in the township of Great Eccleston, in the parish of St. Michael's-on-Wyre, is mentioned as holding land of the King as of the Duchy of Lancaster in free socage in Lieut.-Colonel Fishwick's History of that parish (*Chetham Society's Publications*, N.S., Vol. 25, p. 34).

hood she was likewise justly entitled to a certain parcel of "Mosse" and "Mossedales," called Mr. Burgh's "Mosse," by lease from Thomas Rigby, Esq., then deceased, for a certain number of years, redeemable by the payment of a sum of money, how much he knew not, and he further said that two closes, called Standleyhurst Closes and Standleyhurst Barne in Samlesbury, were likewise in the possession of the said Alice Greenhalgh before her marriage with Mr. Burgh, and his wife demised one third part thereof to examinant, which he then enjoyed, and the said Mr. Greenhalgh had the other two thirds till her marriage with him, and after Mr. Greenhalgh possessed the same in her right until it was sequestrated for his delinquency. He believed Mr. Greenhalgh had no other estate therein than that of his wife's.

fo. 170. John Cotter, a servant of Mr. Greenhalgh's, sworn, said that Mr. Greenhalgh, his then late master, died in the Isle of Man on the 16th September then last; he, examinant, was present at his death and burial.

Robert Johnson, of Larbreck, another witness to the deed, also gave evidence.

fo. 172. Letter dated at Preston 27 February, 1651[-2], signed by Edwd. Aspinwall, Robt. Cunliffe, and G. Pigot, mentioning that in observance of an order of the 10th February then instant, upon the petition of Alice Greenhalgh, late wife of John Greenhalgh, Esq., deceased, they had taken the examinations enclosed in proof of the matter alleged in the petition, and certified that the lands and premises in the petition mentioned were sequestrated for the delinquency of the said Mr. Greenhalgh, he in his lifetime being Governor of the Isle of Man under the then late Earl of Derby.

fo. 173. Examinations, taken at Preston 10 February, 1651[-2], of William Bennett, of Samlesbury, Geo. Blacowe, of the same, both yeomen.

fo. 174. James Martin, of Walton, yeoman, and

fo. 175. John Taylor, of Walton, gentleman.

fo. 178. Letter from Preston dated 12 April, 1652, enclosing the above examinations.

(First Series, Vol. xxviii., No 859, fols. 628, &c.)

fo. 628. Petition from Alice Greenhalgh, widow, which shewed that upon the 15 July, 1652, upon hearing the report made in her case concerning certain lands in Lancashire, estated upon her for three lives by Thomas Holt, her first husband, and likewise of other lands conveyed to her by Richard Burgh, her second husband, for her jointure, and all sequestered for the delinquency of John Greenhalgh, her third husband, the Commissioners ordered the premises to be discharged from sequestration, and petitioner to be permitted to receive the profits and the arrears from the time of her petition, she making oath that she knew nothing in law or equity why she should not enjoy the said estate, and on 27 April, 1654, the Commissioners on reading her petition were pleased (she desiring that a lease made by the Commissioners in Lancashire to one John Woodhouse of part of the lands might be made void) to order that the Committee in the country should certify whether she had made oath according to the order of 15 July, 1652. This she appears to have done; and she now prayed that the lease might be declared void. This prayer was granted (10 August, 1653).

fo. 631. A paper referring to Thomas Greenhalgh's case and this, mentioning that it appeared from several returns in her case that the estate of John Greenhalgh, her third husband, had been sequestered long before 1651 for his having acted as Governor of the Isle of Man under the then late Earl of Derby, and that John Greenhalgh died the 16 of September, 1651.

fo. 650. Petition (11 January, 1652[-3]). In this appeal the Commissioners refused to make void the contract, which in a subsequent appeal

fo. 628. they consented to do.

fo. 652. Petition (26 March, 1651). "Referred to Mr. Brereton."

fo. 653. Petition (10 February, 1651[-2]).

fo. 655. Petition (15 July, 1652).

ff. 657-659. Report by Mr. Peter Brereton dated 26 May, 1652, based upon an order 26 March, 1651, upon a petition desiring a discharge from sequestration of certain lands in Samlesbury which had been estated in petitioner for three lives by her first husband, Thomas Holt, also other lands conveyed for her jointure by Richard Burgh, Esq., her second husband, all sequestered for the delinquency of John Greenhalgh, Esq., her third husband.

He found that by an indenture, dated 28 September, 1616, between Thomas Chaderton, of the Lees in the county of Lancaster, gent., and Thomas Holt, of Middleton in the same county, gent., reciting that the said Thomas Chaderton stood seized in his demesne as of freehold during the lives of himself and of Cicily and Alice, his sisters, of two closes called Samlesbury, in the said county, and the said Thomas Chaderton, in consideration of £300, demised the said closes and barn to Thomas Holt for 100 years, if any of the said three lives so long continued. The indenture was produced, and John Naylor, nephew to the said Thomas Chaderton, deposed to the name of Thomas Chaderton subscribed to the indenture to have been the handwriting of the said Thomas Chaderton, and that he was living on the 8th September, 1652, but very aged, lame, infirm, and unable to travel. There was no other deed produced whereby petitioner claimed the lands from her husband, Thomas Holt, but it was fully proved by the depositions of Wm. Bennet, George Blacowe, James Martin, and John Woodhouse that the said lands were from time to time demised, and the rents received after the decease of Thomas Holt by petitioner, his late wife, during her widowhood, and after her marriage with Richard Burgh, by the said Richard Burgh and the said Alice during his life, and after by the said Alice, till she married John Greenhalgh, and subsequently by the said

John in right of petitioner until the lands were sequestered.

And he found that Richard Burgh by indenture dated 18 April, 1637, in consideration of affection to the said Alice his then wife, and other considerations therein mentioned, granted, enfeoffed, and confirmed to Alexander Rigbie and others and their heirs the capital messuage called Larbreck Hall, with the appurtenances, in Larbreck, and the lands therewith enjoyed, vizt., amongst other parcels of land the closes called the meadow, the hempe yard, the Barnefield, the great Thornwaith, the Little Thornewaith, the great broad hey, the little broad hey, The Breezeloom, the Kilnfield, the Rish hey, and the marled field, in Larbreck, and three closes called the Bank hey, the Moore hey, and the Nooke Moore hey lying in a place called Singleton Grange in Great Singleton, in the said county, to the uses in the said indenture mentioned, vizt., one moiety to the use of the said Richard Burgh and Alice his wife, and the heirs of the body of the said Richard, for part of her jointure, and of the moiety of the said capital messuage, and the moiety of the parcel of land called the meadow, and of all the rest of the said closes before mentioned, to the use of the said Richard Burgh for life, and after to petitioner for her life in full satisfaction of her jointure and of her dower, with other uses over. The deed was produced, and the sealing, &c., deposed to by Robert Johnson, a witness endorsed, who also was a witness to the attornment of George Butler.

John Woodhouse also deposed to the sealing, &c., but he had not subscribed his name as a witness in regard he was concerned in the estate thereby conveyed; he further deposed that petitioner during her widowhood was justly entitled to a certain parcel of moss and moss dales called Mr. Burgh's Moss, by lease from Thomas Kirby, Esq., for a term of years, redeemable for a certain sum of money, but how much deponent knew not.

John Carter, a servant of John Greenhalgh, deposed to

the date of his late master's death ; deponent was present at his burial.

These examinations were taken before the Lancashire Commissioners and certified by them. So he submitted for judgment whether the sequestration ought not to be discharged and petitioner be permitted to enjoy the premises, she first making oath that she knew of nothing in law or equity to bar herself, nor knew any reason why she should not enjoy the same.

fo. 661. Order of reference to Mr. Brereton (26 March 1652).

fo. 662. Petition (copy), 26 March, 1652.

ff. 663-4. Petition (copy), 20 February, 1651[-2].

fo. 666. Communication dated at Preston 12 April, 1652, signed by Robt. Cunliffe and G. Pigot, mentioning steps taken by the Lancashire Commissioners in the case and "some further" examinations.

fo. 667. Examination of William Bennet, of Samlesbury, yeoman ;

fo. 668. of George Blacowe, of Samlesbury, yeoman, James Martin, of Walton, yeoman ; and

fo. 619. of John Taylor, of Walton, gent., all sworn before the Commissioners at Preston 8 April, 1652.

fo. 671. Communication dated at Preston 27 February, 1651[-2], signed by Edw. Aspinwall, Robt. Cunliffe, G. Pigot, mentioning that they had taken the examinations in the case, and enclosed proofs.

fo. 673. Examination of John Wodhouse, of Larbrecke, gent. ; and

fo. 674. of John Cottar, servant to petitioner, and Robt. Johnson, of Larbreck, yeoman (sworn at Preston 24-5 February, 1651[-2]).

(First Series, Vol. c., No. 4,000, fols. 219, &c.)

fo. 219. Order dated 15 July, 1652, signed by Sam. Moyer, Edw. Winslow, Ric. Moore, and Willm. Molins, discharging the sequestration of her estate.

fo. 220. Affidavit of petitioner.

fo. 221. Letter dated at Holland 5 May, 1653, signed by E. Aspinwall and Ro. Massey, enclosing the above affidavit, and referring to other points in connection with her case.

Thomas Greenehalgh, of Brandesholme, Gent.

(First Series, Vol. xxviii., No. 859, fols. 593, &c.)

fo. 593. In the case of the above, James Greenhalgh, of Walmesley, gent., made oath, and said that the indenture tripartite then shewn to him, dated 7 of November 7^o King Ch. I. [1631], made between John Greenhalgh, Esq., and Dame Margaret Ashton, of the first part, Edward Rawstorne, Esq., of the second, Robert Holt, Peter Egerton, and Ralph Holden, Esqrs., and Andrew Holden, gent., of the third, was really executed, sealed, signed, and delivered by the said John Greenhalgh according to the date thereof, as deponent most assuredly believed, which he was the rather induced to depose for that he was privy to and knew of the agreement and marriage made between Richard Greenhalgh, the eldest son and heir apparent of the said John, and Alice Rawstorne, daughter of the said Edward Rawstorne, and he well knew that before the said marriage it was articulated and agreed upon between the said John Greenhalgh and Edward Rawstorne that, in consideration of the marriage and marriage portion of the said Alice and other the considerations in the said indenture mentioned, that the said John Greenhalgh should make such settlement of the estate in the said deed mentioned as by the said deed is or was purported to be made, and deponent said that in consideration of such settlement he well knew that £1,050 was paid by the said Edward Rawstorne to the said John Greenhalgh or to some [one] for his use as the marriage portion of the said Alice, which deponent could the better depose for he, for the use of the

said John Greenhalgh, had received all or most part thereof, and he very well remembered he received one payment from the said Edward Rawstorne, being the last instalment of the said £1,050, and deponent on receipt thereof gave the said Edward Rawstorne a full discharge and acquittance from the said John Greenhalgh, and delivered up to Edward Rawstorne the bond he had given securing the payment of the said money, and he (deponent) said the said sum of £1,050 was duly paid, and paid on the days agreed, and deponent knew that according to the said agreement and limitations of the said indenture, Richard Greenhalgh, the son of the said John, possessed and enjoyed during his life the estate by the said indenture limited to him, and he said he was well assured that if the said Richard Greenhalgh had conceived that any further conveyance or assurance in the law had been requisite for the more absolute estating and settling the manor, lands, and estate in the said deed mentioned, and had required any such assurance or conveyance to be made, the said John Greenhalgh would willingly have made the same, inasmuch as the intent of the said indenture and agreement was declared by the said John Greenhalgh and other the parties thereto that the estate in the said deed mentioned should be settled and confirmed as well as by the law it could be done according to the limitation of the said deed, and he said that the said Richard died in January, 1635[-6], and left issue, Thomas Greenhalgh, his son, an infant at the time deponent made his statement, about 20 years of age and a student in Gray's Inn, and deponent said he was present a little before the death of the said Richard, and knew that he (Richard) secured all his personal estate to his father, in trust for the said Thomas Greenhalgh, his son, of whom the said Richard did desire his father to have especial care, and that he might enjoy the estate by the said deed limited unto him, and he said that the said John Greenhalgh faithfully promised that the said deed should be made good to the said Thomas, and deponent, being well

acquainted with the said John and his affairs ever since, believed the said John never did any act or thing to the infringement or making void the said deed, or otherwise disposed of all or any the estate therein mentioned, but that he always intended and ever expressed his desire that the said deed should stand effectual and be made good unto the said Thomas. (Sworn before the Commissioners 29 April, 1653.)

“R. M.”

fo. 595. Richard Booth, of Booth, co : Lancaster, gent., deposed to a like effect.

fo. 597. Alice, widow and relict of John Greenhalgh, Esq., deposed that she had neither assigned, transferred, bargained, or sold her right, title, or interest in and to the lands mentioned in the indenture dated 18 October, 1641, and she knew no reason in law or equity why she ought not to enjoy the same according to the said deed. (Sworn before the Commissioners 16 August, 1653.)

ff. 599-608. Report by Mr. Peter Brereton dated 20 September, 1653. According to an order of the 19 August, 1653, he stated he had examined the petition of Thomas Greenhalgh, Esq., who had desired that his title to the manor of Brandesholme, &c., in the County of Lancaster, settled by his grandfather, John Greenhalgh, Esq., deceased, whose name had been inserted in the late additional Act for Sale, having been allowed by the Commissioners for Removing of Obstructions, might be stated by Counsel ; and Mr. Brereton found, that by indenture referred to in the affidavit of James Greenhalgh, *supra*, among other things, that in consideration of a marriage then to be had between Richard Greenhalgh, heir apparent of the said John, and Alyce, only daughter of Edward Rawstorne, and £1,050 mentioned to be paid for the marriage portion of the said Alice, and for settling manors, &c., of the said John Greenhalgh in the name and blood of the said John, and other valuable considerations therein mentioned, he did covenant within three years upon request by fine or feoffment, or other good conveyance, or assurance in law, to convey to

Robt. Holt, Peter Egerton, Ralphe Holden, and Andrew Holden, and the survivor of them, and their heirs, the manor or lordship of Brandlesholme *alias* Brandelsome, with the appurtenances, in the county of Lancaster, and all other the manors, lordships, messuages, lands, tenements, rents, reversions, services, and hereditaments whatsoever, with the appurtenances, being freehold lands in Brandlesholme *alias* Brandlesome, Tottington, Greenhalgh, Elton, Walmesley, Horncliff, Eltonfield, and Horwich, and elsewhere in the said county (except his lands in the parishes of Flixton and Ratchdale), and two corn mills in Tottington, with soke and suit thereunto belonging, and all messuages, manors, houses, edifices, buildings, &c., orchards, &c., to the said mills belonging, being freehold land theretofore purchased by the said John Greenhalgh from Christopher Anderton, Esq., then deceased, and the barns situate and being in Stalmyn otherwise Strawaigne, and Preissoc, in the said county, and his tithes of sheaves, corn, grain, and hay, yearly increasing and renewing in Stalmyn otherwise Strawaigne, Prese, and Hackensall *alias* Hackensey, and the half of the moiety of the "pençon" of Preston, in the Wapentake of Amoundernes in the same county, with the appurtenances, and all messuages, mills, houses, &c., and eight acres of meadow and pasture land, with the buildings erected thereon by the said John Greenhalgh, in Stalmyn, Presoc, and Hackensall aforesaid, and all his freehold land in the same places. And that they, the said John Greenhalgh and Dame Mary Ashton, should likewise by surrender convey and assure to the said Peter Egerton and Andrew Holden, the survivor, and their heirs, &c., all the messuages, &c., of the said John Greenhalgh and Dame Mary Ashton, lying in Tottington aforesaid, or elsewhere in the county of Lancaster, being copyhold or customary lands (the copyhold lands of the said John Greenhalgh, in the parish of Ratchdale, excepted), to the intent the said Peter Egerton and Andrew Holden, and their heirs, shall be seized of the said copyhold lands to uses hereafter mentioned; and that the said John Greenhalgh likewise should convey to the

said Peter Egerton, Ralphe Holden, and Andrew Holden, and their heirs, all that part or portion of the manor or lordship of Brandlesholme aforesaid, and all and every the lands, tenements, &c., in Brandlesholme aforesaid, which the said John Greenhalgh held of the demise of William Earl of Darby, for the lives of the said John Greenhalgh, and Richard and John, his sons, and the longest liver of them, and within the parishes of Bury and Prestwich in the said county, which the said John Greenhalgh held of the several demises of the Rectors of the parish churches of Prestwich and Bury ; and it was concluded and agreed by all the said parties that by virtue of the said fine, feoffment, surrender, &c., the said conuzees and the survivor of them, &c., should stand seized of the said manors and all other the premises to the uses hereafter mentioned, and declared, vizt. : of, for, and concerning the said tithe barns and tithes of sheaves, corn, grain, and hay, yearly increasing and renewing in Stalmyn, Presoe, and Hackensall aforesaid, to the use of the said Richard Greenhalgh, eldest son and heir apparent of the said John Greenhalgh, for life, and after his decease to the use of Alice Rawstorne for life for her jointure, and after the decease of the survivor of them, the said Richard and Alice, to the use of the said John Greenhalgh, the father, for life. Remainder to the heirs male of the body of the said Richard Greenhalgh upon the body of the said Alice begotten. Remainder to John, the father, and the heirs male of his body, with remainder in fee to the said John. And of, for, and concerning the parcels of the capital messuage of the said John Greenhalgh, called the hall of Brandesholme, vizt. : the lower parlor and closet within the same, and the chamber over the said lower parlor and closet, to the use of the said Dame Mary Ashton for life. And as well for and concerning all the residue of the said manor, messuages, lands, and tenements being freehold, and all the tithes, hereditaments, and premises not limited, as the said parlor, chamber, and closet before limited to the said Dame Mary Ashton ; after the death of the said Dame Mary, to the use of John

Greenhalgh, the father, for life, without impeachment of waste. Remainder to the said Greenhalgh [*sic*] and the heirs male of his body upon the body of the said Alice Rawstorne begotten. Remainder to the heirs male of the said John, with remainder in fee to the said John. And of and concerning the said copyhold or customary lands, tenements, &c., to the use of the said John Greenhalgh, the father, for life, and after his decease, "of and in such part thereof, as heretofore have bin usually letten to farme," to the use of such person and persons severally and respectively as the said John Greenhalgh, the father, shall by his act in writing before two or more sufficient witnesses nominate and appoint, so as the term thereby expressed exceeded not twenty-one years, or three lives in being, or any number of years determinable upon three lives in being in possession or reversion, reserving the ancient rents ; and after to the use of the said Richard Greenhalgh, and the heirs male of his body on the body of the said Alice begotten, with like remainders as for concerning the residue of the copyhold messuages, &c., to the use of the said John, the father, for life ; and after his death, of and in the closes or parcels of copyhold lands, parcels of the copyhold premises lying in Tottington, vizt. : the Rye-Croft, the Butts, the Furlongs, the Birchenlee, and Kirkhalls to the use of such wife or wives, as the said John Greenhalgh shall marry, for their lives for part of their jointure, and after the death of the said John Greenhalgh, of the residue of the copyhold lands (other than the said copyhold lands before limited to such wife, or wives, as the said John Greenhalgh should marry), and of and in the said copyhold lands before limited, to the use of such wife, or wives, as aforesaid, immediately after the death of such wife, or wives, and as the estates therein shall severally and respectively determine, to the use of the said Richard Greenhalgh and the heirs male of his body begotten upon the body of the said Alice, with like remainders over as before, with a proviso (inter alia) that the said John Greenhalgh, party to the said indenture, should by his last will, or other his act and deed in writing by him

sealed and delivered in the presence of two or more witnesses, limit or appoint one annuity or yearly rent charge of £20 a year to John Greenhalgh, the son, for life, to be issuing out of the parcels, parcel of the demesne lands of Brandesholme aforesaid, called great Weethend, the little Weethend, and Scolefield meadowe, the Scholefield ground,

fo. 603. the Goosforth and Oxchevy, the same annuity to begin after the death of John Greenhalgh, party to the said indenture, with power also for John Greenhalgh to lease any part of the premises "usually letten to farme" not being part of the capital messuage called the Hall of Brandesholme nor any part of the demesnes of Brandesholme and Tottington or elsewhere in the parish of Bury to the saide capital messuage belonging, nor any part of the tithes before mentioned, nor the mills, for three lives, or fewer, or 21 years, or any number of years determinable on three lives or fewer, in possession or reversion, reserving the ancient rentals.

Richard Booth, gentleman, deposed that the deed was made on the very day of the date thereof, or within two days after, sealed, signed, and delivered by the said John Greenhalgh, Dame Mary Ashton, and Andrew Holden, and that deponent was a witness to it, and further deposed that he was well assured that the other parties whose names and seals were subscribed, did really and truly sign and deliver the said deed. He also deposed that he knew that Richard Greenhalgh in the said deed named was the eldest son and heir apparent of the said John Greenhalgh, and that he was married to Mrs. Alice Rawstorne about the time of the executing the said deed, and he believed the said Richard was from and after the execution of the said deed seized and possessed of the estate limited unto him by the said deed, and further that the said Richard died about January, 1635[-6], and left issue Thomas (petitioner) eldest son and heir, then an infant about two [?] years old.

James Greenhalgh, gent., deposed that the said deed was executed as deposed by previous examinant, and to other facts connected with the case.

Henry Cowpe deposed that he well knew all the parties ; that he knew before the marriage there was a settlement agreed to be made of the estate of the said John Greenhalgh, and he believed it was the intention of all the parties that the estate should be settled as aforesaid, otherwise the said Edward Rawstorne would not have paid such a considerable portion with his daughter upon the said marriage as £1,050 ; he believed the said sum was all paid, as he well knew the said Edward Rawstorne, and had been in his study and seen several bonds cancelled, which were for payment of all or most of the same, and believed that the reason why the said settlement was not so absolutely completed as by law it might have been was because the said Richard and Alice died not long after their marriage, leaving petitioner very young, and why it was not done after their decease was because the said Thomas had few friends left, and those very negligent for his good, for he believed if John, the grandfather, had been called upon to settle the estate absolutely according to the deed he would have done it, as he believed it was his intention to do, whom he well knew, and that the said John Greenhalgh was then about seventeen years ago Governor of the Isle of Man, and so continued till his death in 1651 ; and he believed that the said John, by reason of his government, lived very much in the said Island, and was for the most part during his government out “of this Nation,” and he the better knew the said John’s intentions not to recede from the deed of covenant, for upon the intended marriage of his daughter, which was after the said deed was made, he acknowledged that he neither could or would settle his estate or lands otherwise than in the said deed was purported.

Petitioner deposed that he had not conveyed, assigned, or set any part of his right title in or to any part of the premises to his grandfather, or to any other person for his use, nor did he know any reason in law or equity why he should not enjoy the estate according to the limitations and uses in the said deed mentioned.

He further found that the name of the said John Greenhalgh, the grandfather, deceased, was comprised in the Act for Sale of Lands for Treason, and that petitioner had applied himself to the Commissioners for Removing of Obstructions, upon a proviso in the Act to have his claim, as heir male of the body of the said Richard Greenhalgh on the body of the said Alice his wife begotten, allowed, and it was by the said Commissioners allowed (except as before excepted), that the said judgment was transmitted to the Trustees for Sale of Land, to be by them entered and observed. And that Mr. Brereton found to be the state of petitioner's case, which he submitted for consideration and judgment (20 September, 1653).

fo. 612. (19 August, 1653.) Order of reference to Mr. Brereton.

fo. 613. Petition, equal date. (Copy.)

fo. 615. Affidavit of petitioner (sworn 31 August, 1653) before the Commissioners in London.

ff. 617 - 624. Depositions of James Greenhalgh, of Walmesley, gent. (sworn 29 April, 1653), of Rich. Booth, of Booth, gent. (sworn same day), before the Commissioners in London, Henry Cowpe, of Ashenbotham, co. Lancaster, yeoman (sworn 31 August, 1653), before the Commissioners in London.

fo. 626. Petition (21 September, 1653).

fo. 629. Petition (19 August, 1653). Order. Referred to Mr. Brereton to report petition.

ff. 631-632. Petition (27 May, 1653).

ff. 636-637. References to proceedings in the case.

fo. 640. Petition (21 September, 1652).

fo. 641. Petition (24 November, 1652).

fo. 644. Petition (17 November, 1652, inserted on margin in pencil).

fo. 646. Petition (2 February, 1652[-3]).

fo. 648. Petition (26 January, 1652[-3]).

fo. 650. Petition (11 January, 1652[-3]).

(First Series, Vol. c., No. 4,000, fols. 197, &c.)

fo. 197. Letter from Preston, dated 23 November, 1652, signed by E. Aspinwall, John Saurey, and Robt. Cunliffe, referring to a letter from the Commissioners above, dated 21 September then last, and an order made upon the petition of the above, desiring the benefit of the then late Act for General Pardon in discharge of an estate which came to him by the death of John Greenhalgh, his grandfather, and Richard Greenhalgh, his father. They were required to certify whether the tithes and premises mentioned in the petition were actually sequestrated the first of December, 1651, or not, with true copies of all orders and other entries in the books or papers of the then former Committee or their own touching the same, and whether he had an estate in any other county, and whether the same was sequestrated or not.

In observance whereof they mentioned the facts as above in the case of John Greenhalgh mentioned, and said those estates had been discharged by an order of 15 July, 1652, as the estate of his wife, Alice Greenhalgh. As to his estate at Brandleholme, they found the same was conveyed by deed to Edm: Ashton, Rich. Holt, and others, for payment of Mr. Greenhalgh's debts before the wars, the same being subsequently found in their possession was sequestrated for their delinquency, and upon an appeal the deed was allowed and the trusts therein ordered to be performed.

fo. 198. As to the tithes, the same being then in lease to one Mr. Chetham for some years, which expired in July or August then last, and they, finding it to be part of the estate which he held in right of his wife, had sequestrated it and received the profits; they conceiving it to have been their duty so to do until they should receive their Honours' orders therein. They referred in this letter to copies of documents which they sent.

fo. 199. Letter from Bolton, dated March 4, 1652[-3], mentioning that in observance of an order of the 2nd February preceding, made upon the petition of Thomas, grandchild and heir of John Greenhalgh, they had examined such of the Committee of Sequestrations and their Agents upon oath as were most likely to have discovered the delinquency of the said John Greenhalgh and the sequestration of his estate (if there had been any), they being all of them resident in the Hundred of Salford, where the estate of Brandlesom lay, and they enclosed copies of the examinations and a certificate under the hand of Edward Butterworth, Esq., one of the said Committee, who was unable to travel, and that they had again diligently searched their books and papers and found nothing further to certify than what they had in theirs of 25 January and 23rd November then last, they having all the Books of Orders and Informations of the former Committee after October, 1645. Before then there was no regular Register appointed, nor any orders, informations, or judgments formally entered, neither (as they conceived) could there have been, in regard of the many troubles and commotions raised by the enemy in that county till the reduction of Latham Garrison in November, 1645. They also had all the books and papers which had been in Mr. Harrison's hands when he was Solicitor for Sequestrations, from the beginning of the sequestrations up to 1649, wherein they found the names only of all the delinquents, with the particulars of their estates, but not the cause of their delinquencies, or how or by what order they had been sequestered.

fo. 201. "Gent.

"I intended to have been with you this day but my ould disease and the badness of the weather hath prevented me but were I present I cold not say any thinge materiall more then I certified concerning my Cousin Greenhalgh's busines for I was at London at y^e tyme my Cousin Holt of Ashworth's estate was sequestred and many moneths after Soe that I cannot answer any thing as to that perticular but thereon shall referr you to what I have

formly sayd in my certificate desiringe you will accept of
this true appollgie for my absence. I rest

“Yo^r affectionate friend

EDW. BUTTERWORTH.”

“ Belfield Marc. 4

1652[-3]

“ To his honored friends the Com^{rs}

for Sequestracons of the

County of Lancaster

Theis.”

ff. 201-2. Copy of the certificate he referred to, dated
14 December, 1652.

ff. 203-4. Interrogatories administered to several of the
then late Committee and the Agents.

fo. 205. Examinations taken at Bolton of William
Kinardsley, of Haigh, near Bolton, gentleman ;

fo. 206. of Richard Bradshaw, of Bolton, dyer ;

ff. 206-7. of John Bradshaw, of Bradshaw, Esq. ;

ff. 207-8. of Thomas Birche, of Birche, Esq. ;

fo. 209. of Richard Holland, of Heaton, Esq. ;

ff. 210-11. of Peter Egerton, of Shaw, Esq.

fo. 213. Letter from Preston, dated 12 August, 1653,
signed by E. Aspinwall and Ro. Massey, referring to an
order of the 9th June then last, requiring them to seques-
trate all such estate as they could discover belonging to
Thomas, grandson and heir of John Greenhalgh, not then
sequestered, and to receive the rents, issues, and profits
thereof for the use of the Commonwealth. And in obser-
vance thereof they had surveyed all the estate which
they anywise could discover in the county, and sent an
attested copy of the survey together with a “ Rentally ” of
all such rents as they could find to have been due to him.
They stated that they found the demesne to be in the pos-
session of John Lowe and others, who had formerly farmed
the same, and they desired, as the year was far spent, and
the hay growing upon the premises, part of it “ Inned ”
and the rest ready to be, and they having sown some part

of it with corn, that they might enjoy it for the remainder of the year upon security to pay for the same proportionably from the 9th of June (date of order for sequestration) according to the rate it had been surveyed at, which they (the Commissioners) had accepted, if their Honours confirmed the contract. They also found that Mr. Greenhalgh in his lifetime was possessed of the tithes of corn and grain in Prisall and Stalmyn with two tithe barns therein (almost in ruins); they valued the tithes to be clearly worth (repairing the barns and paying £12 a year to the Commonwealth, formerly paid to the then late King, and all taxes and other charges) £70 a year, at which rate they "posted" it, and at a public day of letting several offers having been brought in, one offered by Lawrence Rawstorn, Esq., being £75 they contracted to let them to him, and would proceed to lease them for seven years if the contract was approved.

ff. 215-218. Details of the estate, names of fields, areas, rents due, names of persons owing the same, signed by the Commissioners above.

Richard Greenhouse.

(First Series, Vol. lvii., No. 1,828, fol. 435.)

fo. 435. Petition from Nicholas Shuttleworth, Esq., which disclosed that the estate of one Richard Greenehowse had been included in the last Act for Sale, and that petitioner had purchased (it is not clear whether from the Commissioners or Greenhouse) several houses and lands in the town and county of Lancaster, and one messuage or tenement in Garstang. Petitioner prayed to be admitted to contract for the same. Referred to Mr. Reading to report (2 July, 1653).

(First Series, Vol. lvii., No. 1,828, fol. 439.)

fo. 439. Petition from Richard Shuttleworth, Nicholas Shuttleworth, John Leyburne, and Walter Strickland, which

shewed that the estate of Richard Greenhowse had been inserted in the then last Act for Sale, and that he by deed had conveyed to petitioners several lands in the said deed mentioned. They prayed to be admitted to contract for the same (30 June, 1653.) Referred to Mr. Reading to report.

John Gregson, of Wood-Plumpton.

(Second Series, Vol. xxxvi., No. 2,005, fols. 583, &c.)

fo. 583. Delinquency, assisting the forces raised against the Parliament. He compounded on a particular which disclosed that he was seized of an "Estate tayle" of a messuage and 48 acres of land in Woodplumpton worth £14. 8s. od. yearly; also of a cottage and 5 acres, held by lease, worth above the reserved rent £1. 6s. 9d.; also of 13 acres, held on lease of two lives, worth £3. 5s. od. yearly. Fine £51. 4s. od. (3 April, 1650).

fo. 585. Particular.

fo. 587. Petition.

Richard Gregson, of Ashton in Amoundernes, Droon.

(First Series, Vol. lxxxii., No. 2,648, fol. 333.)

fo. 333. Petition shewing that two thirds of his estate were under sequestration for his recusancy; he therefore prayed to be admitted to contract for the same (13 January, 1653[-4]).

Ellen Grymshaw, of Clayton in the Moores, Widow, and John Grymshaw, her Son.

(First Series, Vol. lxxix., No. 2,475, fols. 406, &c.)

fo. 406. Petition of Ellen Grymshaw, shewing that two thirds of petitioners' estate had been sequestered for her

recusancy only, and she, being desirous to avail herself of the proviso in the Act of 21 October, 1653, prayed that she might be admitted to contract for the same (17 January, 1653[-4]). Referred to Mr. Reading.

fo. 408. A similar petition from John Grymshaw. Referred to Mr. Reading.

fo. 410. Petition from John Grymshaw, of Clayton, Esq., shewing that petitioner was possessed of a coal mine in Ecclesall, and that two parts of the profits had by the then late Committee been sequestered for his delinquency. Information reached the then late Committee that the profits thereof would be totally lost to the Commonwealth for the want of a sough or watercourse for drying or draining of the coals in the said mine, because the same was old and decayed and in many places fallen down and obstructed, and that it could not then long be repaired : thereupon the Commissioners directed Col. Richard Shuttleworth and Col. John Starkie to inspect and report the condition of it, and they certified that the report sent in before was true, when it was ordered that the profits made should be allocated towards the construction of a new watercourse ; notwithstanding the then new Commissioners had caused their agents to "secure" the goods of petitioner (and of other men) for two parts of the said profits, and yet they had not heard or admitted the workmen to bring in their accounts, which they would have tendered, and would be ready to tender, on their oaths ; but the Commissioners refused both to allow them or remove the sequestration without an order : and petitioner being also seized of some lands in Burneley, which were subject to damages by the irruption and breaking forth of the water near the same, and petitioner appealing for an allowance of the costs incurred, the Commissioners above, on 12 July, 1650, ordered that the Lancashire Commissioners should apportion to petitioner one third part of his estate in specie, retaining the other two thirds to the use of the Commonwealth, and in future take due care that the said two thirds did not suffer further prejudice by overflow or breaking of the water, but

the bounds should be maintained in good repair. Notwithstanding this order the Sequestration Agent had seized petitioner's goods for and towards the repairs of the decay of the said two third parts, which, as he conceived, he was not liable to contribute to. Petitioner therefore prayed that an order might issue discharging his other goods from the said seizure, and to certify what the Lancashire Commissioners knew or could find touching all the particulars of the case (12 July, 1653). Referred to Mr. Reading.

ff. 411-416. Report in which Mr. Reading, reviewing the whole case, submitted to judgment what allowance should be made out of the profits (of the two parts) towards the repairs (20 August, 1654).

ff. 417-435. Various documents connected with the case.

ff. 427-430. A detailed account of the expenditure connected with the repairs, signed by the persons who had to do with the work, and sworn to before the Lancashire Commissioners on the 27 January, 1653[-4].

(First Series, Vol. lxxvi., No. 2,345, fol. 369.)

fo. 369. Petition from William Woodward, of Preston, linendraper, which shewed that Edward Aspinwall and George Pigot, Commissioners for Sequestrations of the County of Lancaster, according to instructions received from above, by their deed dated 1 January, 1651[-2], demised and let the estate of John Grymshaw, of Clayton, and Widow Grymshaw his mother, and his three brothers' estates, for seven years to petitioners, and they prayed for a confirmation of the said lease, 29 September, 1653. "The contract if proceeded in according to Instructions is confirmed."

(First Series, Vol. lxxix., No. 2,475, fol. 404.)

fo. 404. Petition from John Grymshaw, gent., shewing that former proceedings had been taken in reference to a coal mine in Eccleshill and a watercourse in Burneley in

which petitioner was interested; he now prayed that it might be referred to Counsel to state and report the facts evolved from the inquiry (31 January, 1653[-4]). Referred to Mr. Reading to report.

(First Series, Vol. iv., No. 72, fol. 325.)

fo. 325. Petition of Nicholas Asheton, 21 June, 1650, which shewed that the estate of John Grymshawe situate in Clayton, Eccleshill, Burneley, Yatebanke, and Preston, had been sequestered for the recusancy of the said John Grymshawe and for the recusancy of Elinor Grymshawe his mother, who held for her life part of the estate as her jointure, and he and his said mother had a third part allowed, according to a then late ordinance, for their maintenance and the maintenance of their children and families, "in which said sequestered lands there are certain collieries of good value which for want of repairs are almost utterly lost, the said premises consisting much of coal mines, and the same would require at least £500 to put them into good repair and made useful for the Commonwealth, and to those to whome the Commissioners in the country do let the same from year to year would not bestowe the charges which will be required in doing of so great a work, whereby the said colemines will be totally lost if the same be not timely prevented ;

"WHEREFORE, your petitioner having a mind to imploy his endeavour in y^e effectinge of soe good a work for y^e coñonwealth humbly prayeth yo^r hono^{rs} wilbee pleased to lett all the sayd Sequestred premises to yo^r peticon^r for y^e tearme of Seaven yeares under a Valuable rent to y^e intent your petiçoner may repayre sett on foote and maintayne the sayd colemynes which otherwise wilbee totally lost. And yo^r petiçoner shall ever pray etc.

(Signed) NICHOLAS ASSHETON "

" reċd 14 Iun

. . . [?]

21 Junii 1650."

Referred to the Commissioners for Sequestration for Lancashire to certify the value.

(First Series, Vol. ci., No. 4,080, fols. 151, &c.)

fo. 173. Letter dated at Preston 19 September, 1653, signed by Nicholas Cunliffe and Ro. Massey, mentioning that in observance of the order of the 12 July, 1653, made upon the petition of John Grymshawe, of Clayton, Esq., and Widow Grymshawe his mother, they had examined witnesses for proof of the matters in the petition alleged, and cross-examined them on behalf of the Commonwealth, and they enclosed copies with the interrogatories and copies of such orders as they found in their books touching the same.

fo. 151. Letter dated at Preston the 9th of the same month, signed by E. Aspinwall and G. Pigot, mentioning that they had "surveyed" and "posted" the estate of petitioner, a recusant, and Widow Grymshawe his mother, a recusant also, and his three brothers, all delinquents and recusants, and by lease, dated 1 February, 1651[-2], under their hands had demised the same for seven years to Mr. Woodward, of Preston, linendraper; they, when the said lease was produced, desired it might be confirmed.

fo. 153. Interrogatories administered to witnesses on behalf of petitioner, touching a coal mine in Eccles[all]. Examination of Thomas Fish, of Eccles[all], yeoman, aged fifty years;

fo. 157. of John Lithgow, John Ingham, Thomas Ride;

fo. 158. of John Leaver, George Hindle;

fo. 160. of Thomas Duckworth.

fo. 161. Interrogatories administered on behalf of the State to Thomas Fishe, and

fo. 162. to John Lithgoe.

fo. 163. Examination of Thomas Fishe and of John Lithgoe.

fo. 163. Two letters from the Lancashire Commis-

sioners, one dated at Padiham, August 8, 1648, the other at Blackburne, 24 February, 1650[-1].

fo. 164-5. Three other letters by the Commissioners for Lancashire.

fo. 167. "These are to certifie whom it may concern that the work mans wages in the Cole myne in Eccleshill is to the hewers for getting of them for euy Quarter 4^d ob, to the Drawer for every Quart^r 3^d unto the Bancksman and his partner that helpeth to wynde for wyndeinge and fyndinge all necessarie for the said Coale pitt as Sledds Shoules & other thinges 3^d ob. That soe there remaynes but of the pftts of the said Coale myne 4^d at euy Quarter to the owner of the said myne and that after this rate have wee made these accounts true upon o^r oathe.

(Signed) "THOMAS FISHE,
JOHN LITHGOE,
THOMAS RIDD,
JOHN INGHAM."

fo. 169. Statement of account exhibiting sums paid to blacksmith and men who worked in the mine. Thirty-seven men's names mentioned. [A curious document.]

ff. 170-171. Statement showing the quantity raised in quarters, the sums realised, and the clear profits from February, 1649[-50], to November 13th, 1652.

Thomas Grymshawe.

(First Series, Vol. lxi., No. 1,967, fols. 19, &c.)

fo. 19. Petition from Roger Suddell which disclosed that Thomas Duddell then late of Alston in consideration of a marriage then had and solemnised, and divers goods, "cattles," and sums of money received with Jane his then wife, did by deed dated 23 February, 22^o Jas. I. [1625] assign to Gabriel Hesketh and Thomas Hathersall as feoffees in trust all that one capital messuage and tenement lying in Alston, together with several other messuages, lands,

and tenements in Thornley *cum* Wheatly¹ to hold them to their heirs and assigns to the uses therein limited; that is to say, to the use of the said Thomas Duddell for life, and after one moiety of the said capital messuage, tenement, and premises to the use of Jane his wife during her life, in lieu and full satisfaction of her jointure or dower, and the other moiety after the death of the said Thomas Duddall, and the whole after the death of the said Jane to the use of the heirs of the body of Thomas Duddell begotten on the body of the said Jane his wife, and for default thereof then to the use and behoof of the heirs of the said Thomas Duddell to be begotten in default of such issue, then to the use of William Duddell of Alston for life, and afterwards to the issue of his body lawfully begotten or to be begotten and upon their issue successively, the eldest to be preferred before the youngest. Thomas Duddell died without issue and left Jane his wife who subsequently married one Thomas Grymshawe, for whose delinquency and recusancy the moiety had been sequestered. Inasmuch as Jane was then lately dead and the premises of right ought to have come to petitioner in right of his wife Grace, the only daughter of William Duddell, by whom petitioner had several sons and daughters, yet he could not enjoy the moiety, as the same was under sequestration; he therefore prayed for an order discharging the sequestration, or an enquiry into the title (12 February, 1650[-1]). No order.

fo. 22. Petition without date, referring to an order granted on the preceding petition, and mentioning that the examination into his title had been made and returned. He now prayed that it might be referred to Counsel to state and report, and that an early day might be set for hearing the cause.

ff. 24-25. Memoranda as to proceedings had.

ff. 27-31. Report by Mr. Reading dated 2 April, 1653. In reviewing the case he mentioned that possession and

¹ In Chipping parish.

seisin had been made by "delivery of thatch and daube"; ultimately he submitted to judgment whether the sequestration of the premises for the recusancy of Thomas Grimshaw should not be discharged unless he had some other estate therein than for his wife's life, she then being dead.

fo. 33. Petition and prayer for reference to Counsel.

fo. 35. Reference to Mr. Reading.

fo. 37. Certificate exhibiting the cause for which the lands had been sequestrated.

John Guest, of Astley, Husbandman.

(First Series, Vol. xxvii., No. —, fols. 622, &c.)

fo. 622. Petition, which shewed that Thomas Tildesley, of Morleys, Esq., by indenture dated 25 March, 1642, in consideration of £100 paid to him by petitioner, granted a yearly rent of £10 issuing out of all the ancient rents of the said Thomas Tildesley growing due to him out of the manors or lordships of Tildesley, Astley, Pynington, and Kenyon in the county of Lancaster, or any of them, from the Feast of Pentecost then next ensuing, during a term of twenty-one years as by a copy of the said grant annexed to the petition appeared; that afterwards Thomas Tildesley became sequestered for delinquency, nevertheless the said rent of £10 was duly and constantly paid and allowed petitioner by the then late Lancashire Committee until the year preceding date of petition, when the new Commissioners were appointed, and they conceived they could not continue the allowance without orders from above. Prayed therefore for an order that he might receive the arrear and be paid the said rent during the remainder of the term then unexpired (8 October, 1651). "Com^{rs} to ex. & certify & referred to M^r Reading."

fo. 623. Copy of the deed of 25 March, 1642.

fo. 625. Report by M^r Reading dated 4 March, 1651[-2]. He found the facts to be as stated in the petition, the

deed having been produced before him, and sealing and delivery proved by one witness before Colonel Rigby and others of the former Committee for Lancashire on 27 August, 1647, by Richard Rily, and subsequently by William Shuttleworth, another of the witnesses. He submitted to judgment whether petitioner should not be allowed to enjoy the said rent charge for the remainder of his term, the sequestration notwithstanding.

fo. 627. Reference to Lancashire Commissioners, dated 8 October, 1651.

fo. 629. Petition. (Copy.)

fo. 632. Communication dated at Preston 12 December, 1651, signed by Edw. Aspinwall, Robt. Cunliffe, and G. Pigot, mentioning what proceedings they had taken in the case.

fo. 633. Examination of William Shuttleworth, of Asterley, Esq. He deposed that he was present and witnessed Sir Thomas Tyldesley, deceased, seal, sign, and deliver the deed, and that the names of George Pendleton and Richard Ryly subscribed as witnesses were in the proper handwriting, as he believed, of them the said George Pendleton and Richard Ryly, who were then both dead. Sworn 10 December, 1651, before the Lancashire Commissioners. (Copy.)

(First Series, Vol. ci., No. 4,099, fols. 313, &c.)

fo. 315. Letter dated at Preston 12 December, 1651, signed by Edw. Aspinwall, Robt. Cunliffe, and G. Pigot, mentioning that, in observance of an order of the 8 of October then last made upon the petition of John Guest, of Astley, they had taken the examination enclosed for proof of the deed therein mentioned, and they found that annuity mentioned in the deed was allowed and paid by order from the then late Committee for Sequestrations for the County, as in the petition alleged.

For **Thomas Guest** see **Thomas Langtree**.

**Robert Gurnall (an infant six years of age),
son of William Gurnall, of Much Eccleston.**

(First Series, Vol. lxxxi., No. 2,554, fols. 194, &c.)

ff. 194-6. Two petitions by William Gurnall. It is disclosed that petitioner's late father was a recusant, and two thirds of his estate had been sequestered for his recusancy; he died and was buried on the 9th September, 1653, hence the property should have come to petitioner, who the petition alleged was a conformable Protestant. The property was of very small annual value, so petitioner prayed it might be left to the Lancashire Commissioners to settle (2 December, 1652). Referred to them; Mr. Reading to report.

Roger Haddock, of Heapy, Husbandman.

(Second Series, Vol. xliii., No. 2,622, fols. 679, &c.)

fo. 679. Delinquency, adhering to the forces raised against the Parliament in the first war only. He petitioned 28 July, 1649, and compounded upon a particular which disclosed that he was seized for the term of his wife's life of a small messuage and 10 acres of land lying in Heapy aforesaid, held of Colonel Richard Standish, worth yearly £2. 10s. Fine £3. 15s. (6 August, 1649.)

fo. 682. Petition.

fo. 684. Particular.

For **Mary Ball** see **Mary Topping**.

John Halliwell.

(First Series, Vol. ci., No. 4,119, fols. 450, &c.)

fo. 450. Letter dated at Preston . . . signed by Robt. Cunliffe and G. Pigot, mentioning that they had

taken the examinations enclosed, and other points in this case.

fo. 454. Letter dated at Preston 3 June 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that, in observance of an order of the 16 May, grounded upon the petition of William Halliwell and others (on behalf of John Heskin) feoffees in trust for and on behalf of John Heskin, of Welsh Whittle, yeoman, they had examined witnesses for proof of the deed of trust mentioned in the said petition, copies of which examinations they enclosed, and further certified that John Halliwell, party to the said deed, was in his lifetime sequestrated for recusancy, and not for delinquency as by the petition was suggested.

fo. 451. Examinations taken at Preston 29 May, 1651, of Richard Tompson, of Welsh Whittle, husbandman, a witness to the deed ; also

ff. 451-452. of Roger Williamson, of Coppull, another witness.

(First Series, Vol. xxxiv., No. 1,088, fols. 724, &c.)

fo. 724. Petition from William Halliwell, Oliver Haydocke, and John Pemberton, feoffees in trust for and on behalf of John Heskin of Walsh Whittle, yeoman, which shewed that John Halliwell, then late of Walsh Whittle aforesaid, having been in his lifetime possessed of a mesuage and tenement in Walsh Whittle by lease from Edward Gorsuch, of Gorsuch, gentleman, for 99 years if the said John Halliwell, Peter Wetherby, and John Heskin above should so long live, or any of them, did, by his indenture or deed of trust dated VIII Charles nuper R. assign the same to petitioners in trust, *vizt.*, from and after the death of the said John Halliwell, to and for the raising of such sum or sums of money as the said John Halliwell should by his last will limit and appoint, and then to the use of William Halliwell his brother and his heirs, and for default thereof then to Peter Wetherby and

his heirs, and for default to John Heskin above and his assigns severally, successively, and respectively during the term in the original lease mentioned, with a clause of "Revocancy"; afterwards the same became sequestered for the said John Halliwell's delinquency in his lifetime; he was then dead, and so were his brother William and Peter Wetherby, without issue, and the premises as petitioners conceived ought to have come to the use of petitioner John Heskin, who then was and always had been a friend, and conformable to the Parliament and the then Government. They prayed for an order discharging the premises from sequestration (16 May, 1651). "Ord : Co^{rs} to ex : & certify & thereupon further Ord."

ff. 725-728. Report by Mr. Reading, dated 24 January, 1653[-4], on the above order, in which he found that by an indenture dated 8 September, 1641, between John Halliwell, of Walsh Whittle, of the one part, and William Halliwell, Oliver Haydocke, and John Pemberton (the petitioners), and Roger Haydocke, of the other part, reciting that whereas Edward Gorsuch by indenture of lease dated 28 December, 1633, had demised and granted to the said John Halliwell and his assigns all that messuage and tenement in Walse Whittle and also one parcel of land commonly called Sutton's acre lying in Coppull in the said county, then in the tenure of the said John Halliwell (except as in the said indenture was excepted), to have and to hold to him and his assigns from the date of the said recited indenture for the term of 99 years if the said John Halliwell, Peter Wetherbie, and John Heskin, or any of them, should so long live, by force of the said lease the said John Halliwell into the said demised premises did enter and was possessed of the same for and during the continuance of the said original lease. The said John Halliwell for divers good causes and considerations granted, aliened, and assigned the said premises unto petitioners, to have and to hold to them during the residue of the said term, upon trust that the said John Halliwell should enjoy the same for life and after his decease the petitioners, their

heirs and assigns, should employ and dispose of the yearly profits and rents for raising such sums as he by his last will should limit and appoint, and to the uses described in the petition. William Tompson and Roger Williamson, two of the witnesses endorsed on the said indenture, deposed to the sealing and delivery thereof, and they further deposed to the death of William Halliwell, one to whom the same by the deed ought to have come, that he was never married, and that Peter Wetherby, another to whom the premises should have come, was also dead, and was not married. John Pemberton, one of the petitioners, deposed that John Halliwell, who conveyed the property to deponent and the others in trust, died in April, 1651; that William Halliwell died in or about 1644, and was never married; he had heard and believed that Peter Wetherby was dead, and was never married, and that neither he nor the other trustees had made release of the premises, nor was there any revocation made of the said deed by the said John Halliwell in his lifetime.

William Halliwell, one of the petitioners, deposed that he saw the deed of assignment executed, and that he was present when William Halliwell, in the said deed mentioned, in or about 1644 was buried, and that he died without wife or child, and generally confirmed the evidence of John Pemberton.

Roger Haydocke, another of the petitioners, deposed to the same effect, and that he was a very near neighbour to the said William Halliwell and Peter Wetherby and did very well know them in their lifetime.

Wm. Chesnall deposed that he was present at the burial of Peter Wetherby, that he knew him well and had never heard that he was married.

After referring to the usual certificates filed in these cases, he reported "that that was all he could find in the said case, which he submitted to judgment."

fo. 729. Order of reference to the Lancashire Commissioners (16 May, 1651).

fo. 731. Petition. (Copy.)

fo. 734. Communication dated at Preston, signed by Robt. Cunliffe and G. Pigott, mentioning that they had taken the examinations and enclosing copies.

fo. 735. Examination of John Pemberton, of Heskin, gent. ;

fo. 736. of William Halliwell, of Wrightington, yeoman ;

fo. 737. of Roger Haydocke, of Cople, yeoman ; and

fo. 738. of Wm. Chesnall, of Heskin, mason ; taken at Preston, 26 August, 1652, before Edward Aspinwall and Robt. Cunliffe.

fo. 739. Communication dated at Preston 3 June, 1651, signed by Peter Holt, Robt. Cunliffe, G. Pigott, referring to former proceedings, enclosing copies of examinations taken, and mentioning that the premises had been sequestered for recusancy and not for delinquency.

fo. 741. Examinations then taken at Preston on the 29 day of May, 1651, of Richard Tompson, of Walsh Whittle, husbandman, and

fo. 742. of Roger Williamson, of Coppull, taylor.

fo. 743. Certificate signed by Ri: Sherwyn, auditor, mentioning what the annual value was.

First Series, Vol. ci., No. 4, 118, fols. 441, &c.)

fo. 444. Letter dated at Preston 2 March, 1652[-3], signed by E. Aspinwall and John Sawrey, mentioning that, in observance of an order of 18 November, 1651, which they received the 7 February then last, made upon the petition of Thomas Cowper, of Euxton, nailor, touching lands in Coppull and Charnocke conveyed by deed dated 10 July, 1649, from John Halliwell a recusant, then deceased, to the petitioner, they had taken the examinations enclosed for proof of the matters in the petition alleged, and they certified that William Eccleston, their agent, informed them that in the year 1643 he, by virtue of a commission from some of the Committee for Sequestrations in the County to him and others directed, sequestered two thirds of the land of the said John Hallywell for his re-

cusancy, and the same had so remained, the rents continuing to be paid to the use of the State.

fo. 441. Examination, taken at Preston February 9, 1652[-3], of John Pemberton, of Heskin, schoolmaster, who was present and a witness when John Halliwell, then late of Welsh Whittle, executed a deed dated 10 July, 1649, and that John Halliwell died in May, 1651, and was buried in the parish church of Standish.

fo. 442. Richard Loxam, of Ulnes Walton, another witness, was also examined.

(First Series, Vol. xvi., No. 450, fols. 535, &c.)

fo. 535. Report (additional) by Mr. Reading (dated 10 December, 1654), in which he found that the Commissioners on reading his report of the 15 June, 1654, were not satisfied what relations existed between petitioner [Thomas Cooper], who had desired that the sequestration might be taken off certain lands in Charnoch, and John Halliwell, then deceased, for whose [. . .] it had been laid on. The matter had been sent down to [the] Lancashire [Commissioners] to examine witnesses upon oath, and they certified that they conceived that the lands claimed by petitioner were of the yearly value of £4. 12s. 3d., and they transmitted the depositions of John Pemberton and John Heskin, examined before them 27 July, 1654. John Pemberton deposed that he was a near neighbour to John Halliwell, and that the said John had "neither wife nor child, nor brother, nor sister, nor nephew, nor niece, nor any other that he knew of that was nearer of kindred than petitioner, to whom he intended to leave his inheritance; that in his lifetime he had sent deponent to petitioner to tell him to come to him, John Halliwell, which he, deponent, did; that he was by and present when Halliwell said he would give petitioner his land after his death and bade Cooper get as good writings drawn as he could, and Halliwell would seal them, and that petitioner should pay £10 to his executors after his death; and deposed that Cooper did seal a bond for that purpose, and

had discharged the same, that he was by and present at the sealing of the deed made by John Halliwell to petitioner, and he believed the same was real and without fraud. John Heskin deposed that he had lived for four or five years before his death with John Halliwell; that he himself was a near relation to Halliwell; he believed the deed made between Halliwell and petitioner was real and true; that deponent, petitioner, and their respective brothers and sisters were all "in one relation allied to the said Halliwell"; that they were all conformable persons; and that Halliwell had no more of his kindred to whom he might give or dispose of the same.

He submitted nothing to judgment.

fo. 539. Order of reference to Mr. Reading (dated 28 November, 1654).

fo. 541. Communication to Lancashire Commissioners to reconsider the case (15 June, 1654).

fo. 542. Petition (28 November 1654). Ordered to refer to Mr. Reading to make an additional report.

fo. 543. Communication dated at Warrington 7 November, 1654, signed by E. Aspinwall and Ro: Massey, enclosing examinations of witnesses and other matters.

fo. 544. Similar communication dated at Ormeskirke 27 July, 1654.

fo. 545. Examination of John Pemberton, of Heskin, and John Heskin, of Welsh Whittle. Sworn at Ormskirk 27 July, 1654.

fo. 563. Petition (18 November, 1651).

fo. 587. Report by Mr. Reading (13 May, 1653).

fo. 591. Certificate as to proceedings taken.

fo. 593. Petition. (Copy.) (15 December, 1653.)

fo. 595. Communication from Lancashire Commissioners. (Copy.)

fo. 597. Examination of John Pemberton, of Heskin, schoolmaster, and

fo. 598. of Saml. Loxham, of Ulverstone, gent.

fo. 599. Certificate exhibiting that petitioner was not and had not been under sequestration.

John Halliwell, of Wrightington, Yeoman.

(First Series, Vol. xxxiv., No. 1,088, fols. 721, &c.)

fo. 723. Petition, which shewed that about a year then since the Barons of the Exchequer, then Commissioners appointed for appeals in cases of sequestration, had referred petitioner's case to the Commissioners for Lancashire to examine witnesses, &c., which they had done and returned their proceedings into the hands of Mr. Vaughan (where they then remained), who was Registrar to the Barons of the Exchequer, and petitioner, through his extreme poverty and the burden of a wife and two small children to maintain, had been unable to further prosecute his appeal; he therefore prayed that they (the Commissioners appointed by Parliament in cases of sequestration) would be pleased to order that Mr. Vaughan might transmit the papers to their honours and that they would thereupon proceed to hear his case, so that he might obtain such relief as to justice should appertain. (No date, no order.)

fo. 721. Petition from Elizabeth, wife of John Halliwell, of Wrightington, on behalf of herself and two small children, which shewed that her husband's "poore" estate had been sequestered for his supposed delinquency, and that he had for some time then past been prosecuting his appeal against it, but whilst the appeal was pending petitioner and her two children "were ready to starve for want of mainteñnce."

The estate had been let by the Commissioners for Lancashire at £12. 13s. 4d. per annum, and petitioner had had a fifth part allowed her until then recently, when it was suspended by an order of the Lancashire Commissioners. She prayed for an allowance of the fifth as she had previously had (3 June, 1651). Allowed.

(First Series, Vol. xx., No. 571, fols. 351, &c.)

fo. 351. Petition from Hugh Dickinson, of Eccleston, gent., which shewed that two thirds of certain lands in Wrightington, in the parish of Eccleston, were under

sequestration from John Halliwell, of Wrightington, afore-said, a papist, and that the said two thirds had for late years then been let to one Richard Martyn at a rent of £8. 8s. 8d. yearly, and that the term of Martyn had ended. Petitioner prayed for a lease of the land for one year at the old rent (3 January, 1654[-5]). "Referred to Mr Wins to draw a lease according to instrucons R. M. R. W."

fo. 353. Certificate signed by Tho. Brown, auditor, dated January 3, 1654[-5], shewing the rent of the tenement.

(First Series, Vol. cxiii., No. 7,261, fol. 603.)

fo. 603. Letter dated at Warrington 10 February, 1654[-5], signed by E. Aspinwall and Ro. Massey, mentioning that by an order of 3 January, 1654[-5], made upon the petition of Hugh Dicconson, of Eccleston, gent., they were required to certify the true yearly value of two thirds of the estate of John Halliwell lying in Wrightington or elsewhere in the parish of Eccleston. In observance thereof they certified that the estate was surveyed by their predecessors, and that afterwards, by instructions from the Commissioners above, it was let to Mr. Richard Martin for a year.

(First Series, Vol. cxiii., No. —, fols. 601, &c.)

ff. 601-602. Survey of the estate of John Halliwell, of Wrightington, and a memorandum that two thirds of his estate at Wrightington and Heskin were farmed and let to Richard Martin for one year, commencing 1 January, 1653[-4], and ending 1 January, 1654[-5], under the clear yearly rental of £8. 8s. 8d., payable 24 June and 24 September equally.

Cuthbert Halsall, of Burscough, Deoman.

(First Series, Vol. xxxi., No. 961, fols. 209, &c.)

fo. 209. Petition, which shewed that he was seized of a messuage or tenement, with lands belonging thereto, lying

in Burscough, held of the then late Earl of Derby, which had been sequestered for his recusancy only, and that he had two years then ago conformed himself to the Protestant religion, since which he had constantly attended the church to hear Divine Ordinances, as was certified by many of his fellow-parishioners, and that he was then willing and ready to take the Oath of Abjuration before the Lancashire Commissioners. He therefore prayed that the sequestration laid upon his estate might be taken off (16 March, 1651[-2]). "The Com^{rs} to exⁿ & certify."

fo. 210. "These are to certify all whom it maye concerne that Cuthbert Halsall of Burscough in the co. of Lan^c being sequestred for his Recusancie haith conformed him selfe aboue a Tweluemonth since and doeth continue a constant Church man and wee whose names are heare under written do most assuredly knowe that the saide Cuthbert Halsall was neither in actual armes naither haith hee mantained armes against this p^rsent parliament in Testimonie wheareof wee haue heare unto subscribed our names y^e Tenth daye of ffebruarie Anno Dmi. 1650[-1].

(Signed) "ALEX BRERES
 THOMAS HILL
 RICHARD R¹ MODISLEYE
 GEORGE q¹ SPENCER
 WILLIAM WITHINGTON
 HENRY 6¹ WARDER
 GEORGE HILL
 WILLIAM W¹ MODISLEYNE
 THE OULD CHURCHWARDEN
 WILLIAM COWTAN
 JAMES BARTON
 JOHN MODISLY."

fo. 211. "These are to certify that Cuthbert Halsall of burscough in the Countie of Lancaster being sequestred for his Recusancie only is now conformable and did com unto the pish Church of ormskirk the xxvijth daye of Januarie 1649 and theare did decently beeave him selfe at the time of Devine Service and sermon and hath continued ever since a constant Churchman.

(Signed) "WILLM DUN Min^r ibid
THOMAS FFARRAR
Churchwarden 1651
RICHARD SMOOLT
Churchwarden
GEORGE SPENCER
Churchwarden."

fo. 214. Petition, which shewed that petitioner had been sequestred about eight years then ago for recusancy. He had conformed and taken the Oath of Abjuration. He prayed for a discharge according to the Act of Oblivion, and that he might be paid the arrears of his rents (29 September, 1652).

"We cannot admitt it till y^e parliam^t giue a Rule."

fo. 215. Certificate dated 11 January, 1652[-3], exhibiting the proceedings which had been taken in this case.

(First Series, Vol. c., No. 4,014, fols. 301, &c.)

fo. 304. Letter dated at Manchester, 7 May, 1652, signed by E. Aspinwall and G. Pigot, mentioning that, in observance of an order made upon the petition of the above, they had taken the examinations enclosed touching petitioner's conformity, which was likewise certified by several of his neighbours, and that he had come before them and taken the Oath of Abjuration of Popery, his estate having been sequestered for recusancy only in the beginning of the first war, and it so continued, all which they submitted for the further judgment of the Commissioners above.

fo. 301. Examinations, taken at Preston 30 April, 1652, of John Mawdesley, of Burscough, yeoman, who said he had known petitioner for thirty years, had heard his estate had been sequestrated for recusancy, knew that he about two years then ago became conformable and a constant frequenter of his own parish church of Ormskirk, and of several chapels near adjoining, that he, deponent, had often been with him at the church and chapels during time of prayer and sermon. Thomas Such, of Burscough, deposed to the like effect.

Thomas Halsworth, of Heath Charnock, Yeoman.

(Second Series, Vol. xlii., No. 2,496, fols. 347, &c.)

fo. 347. Delinquency, adhering to the forces raised against the Parliament. He petitioned 12 June, 1649, and compounded upon a particular which disclosed that he was seized for life of and in a messuage and lands lying in Heath Charnock worth yearly £6. Fine £18. (4 July, 1649.)

fo. 352. Petition.

fo. 350. Particular.

Richard Hamer, of Bently,¹ Yeoman.

(First Series, Vol. xxxi., No. 979, fols. 697, &c.)

fo. 697. Delinquency, in arms against the Parliament; but he laid them down in 1645, and took the Covenant at Namptwich in November, 1645, and a second time before William Barton, Minister of John Zecharias, on 18 August, 1646, and the Negative Oath before the Commissioners the

¹ In Bury parish.

same day. He compounded upon a particular which disclosed that he was seized of an estate tail in possession to him and the heirs male of his body, remainder to his right heirs, of and in certain lands and tenements lying in Bently, of the yearly value of £25; that there was a like estate to come to him after the decease of Ellen Bayward, Edward Hamor, and Jane Hamor, worth £8 a year; personal estate none (18 September, 1646).

fo. 700. Petition, presented 18 August, 1646, and referred to the Sub-committee.

fo. 701. Certificate, shewing he had taken the National Covenant.

fo. 703. Particular of his estate.

John Hammond, Christopher Smith, and Andrew Holden, of Haslingden.

(First Series, Vol. xcvi., No. 3,853, fol. 413.)

fo. 413. Letter from the Lancashire Commissioners, dated at Preston 8 April, 1652, mentioning that they had taken the examinations for proof of the matters alleged, and enclosed them. [They appear, however, to be missing.]

John Hancock, of Clitheroe, Pictoman.

(First Series, Vol. xxxvii., No. 2,107, fol. 663, &c.)

fo. 663. Delinquency, adhering to and assisting the forces raised against the Parliament. He compounded upon a particular which disclosed that he was seized in fee of a messuage or tenement with certain lands in Clitheroe of the yearly value of 35s. Fine £5. 5s. od.

fo. 666. Petition.

fo. 667. Particular.

Ellen Hankinson, of Eccleston, Widow.

(First Series, Vol. xxxiv., No. 1,062, fol. 319.)

fo. 319. Petition, which disclosed that two parts out of three of her estate had been sequestrated for her recusancy only. She therefore prayed that according to the Act she might be admitted to contract for the said two third parts (10 January, 1653[-4]). "Referred to Com^{rs}. Mr. Reading to report." [She presented this petition "by Wifm Dicconson her Sol^r."]

Ann Harrington, of Huyton, Widow.

(First Series, Vol. xxxiv., No. (between 1,086 and 1,087), fol. 711.)

fo. 711. Petition, which shewed that petitioner's late husband was in his lifetime possessed of a small tenement in Huyton for life, two thirds of which had been sequestered for his recusancy; he died about 25th November, 1652, leaving an infant about three years of age to be maintained; yet, notwithstanding his death and the determination of her husband's title, the sequestration continued. She therefore prayed for an order to the Country Commissioners to examine the title and certify to their honours, and that thereupon an order discharging the sequestration might issue. (No date, no order.)

(First Series, Vol. c., No. 4,043, fol. 489, &c.)

fo. 493. Letter dated at Wigan 6 December, 1653, signed by E. Aspinwall and Ro. Massey, mentioning that, in observance of an order of the 19 July preceding, made upon the petition of Ann Harrington, of Huyton, widow, touching her title to two thirds of a tenement in Huyton sequestered from Percival Harrington, her then late hus-

band, in 1649, they had examined witnesses on her behalf and cross-examined them on behalf of the Commonwealth. (Copies enclosed.)

fo. 489. Interrogatories administered to witnesses and

fo. 490. Depositions taken at Wigan 6 December, 1653, of William Chawner, of Huyton, William Caldwell, sexton at the parish church of Huyton.

ff. 491-492. Their cross-examinations.

Christopher Harris, of Farrock House in Bolland, Gent.

(First Series, Vol. c., No. 4,015, fols. 305, &c.)

fo. 308. Letter dated at Preston 12 April, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that, having received of the 6 March
. . .¹ [made on] the petition of Richard Tomlinson, of Thorneley, husbandman, they had taken the examination of Mr. John King, Minister at Chipping, for proof of the deeds of annuity mentioned in the said order and petition, a copy of which they enclosed, and they found that the estate out of which the said annuity was issuable was sequestrated for the recusancy and delinquency of Christopher Harris, as in the petition was expressed.

fo. 305. Examination taken at Preston
of John King, who was present at the sealing and delivery of a deed, dated 28 April, 3^o Charles I. [1627], made between Robert Swinglehurst, of Fardock Holm, gent., on the one part, and Richard Tomlinson, of Thorneley, husbandman, on the other, in which it was expressed that for and in consideration of £33 he granted to petitioner a rent charge of £6 yearly for his life, arising out of the messuage and tenement called Fardocke Holme or Farrocke House; also that he, deponent, was present at the execution of a

¹ Obliterated by damp.

second deed between the parties, dated 28 April same year, which expressed that the true meaning and intent of the first above mentioned indenture was the securing the true payment or delivery of four "siues" [sieves] of marketable oats at the measure of 22 pecks to the sieve unto the said Richard Tomlinson or his assigns at the 2nd day of February yearly, or within six days after, during the life of the said Richard Tomblinson, and that the said Tomlinson was then living; that the four sieves of oats had been regularly delivered until the estate was sequestrated.

(First Series, Vol. lxiv., No. 2,060, fols. 334, &c.)

fo. 334. Petition from Richard Tomlinson, of Thorneley, yeoman, which shewed that the Commissioners had issued an order on the 6th March, 1651[-2], directing the Lancashire Commissioners to certify what they knew touching petitioner's case and return the same, which they had done, and petitioner now desired a report on it and a speedy hearing (23 May, 1651), which was consented to.

fo. 335. Reference to Lancashire Commissioners.

fo. 337. Petition in earlier proceedings, which shewed that Robert Swinglehurst, then late of Fardockeholme, gent., by deed dated 28 of April, 3^o Ch. I. [1627], for the considerations therein mentioned, granted to petitioner an annuity or rent charge of £6 out of the profits of a capital messuage called Fardockeholme or Farrock House for a term of sixty years, if petitioner should so long live; the true intent and meaning of the said rent charge was, as shown by another deed, for securing the true payment and delivery of four "syues" [syves] of oats to petitioner during the term of petitioner's life, which rent charge or the four "sives" of oats had been regularly paid or delivered to petitioner until the death of the said Robert Swinglehurst, since which the messuage had been sequestered for the recusancy and delinquency of Christopher Harris, who had married Mr. Singlehurst's only daughter, and under the old Committee petitioner had received the

annuity or the oats, but the new Commissioners refused to pay it.

fo. 339. Petition.

(Second Series, Vol. lii., No. 3,442, fols. 357, &c.)

fo. 357. Report by Mr. Brereton, by which it appeared that petitioner was one of the persons comprised in the Act for Sale of Lands forfeited for Treason, under the name of Christopher Harris, of Chipping, co. Lancaster. The estate was surveyed and return made 11th March, 1652[-3]. Copy forwarded to the Committee 19th of same month. Petition filed 4 May, 1653. By the survey and report it appeared that he desired to compound for a part only, namely for part of the rectory and tithes of Chipping arising out of the west side of Wheateley cum Thornley, and the tithe corn of Bradley. By the survey it also appeared that Robert Swinglehurst, of Farrock House, co. Lancaster, gent., by indenture dated in 1641 in consideration of £100 and a yearly rental of £6. 13s. 4d., demised the said tithes to petitioner for 21 years, and that they were clearly worth £13. 2s. 6d. per annum. The surveyors certified there was a reserved rent of £6. 13s. 4d. on the premises belonging then formerly to the Bishop of Chester, but then to the State. Petitioner was possessed in right of his wife of part of the tithes of Bradley Hall demesne lands with the tenements thereunto belonging of the clear yearly value of £2. Petitioner alleged that the Rectory of Chipping, whereof the said several tithes were part, was then long since demised by the Bishop of Chester to the said Robert Swinglehurst for three lives, whereof one only was then living, who was very aged, and that by his death compounder's interest determined.

fo. 360. Petition.

fo. 361. Order to refer to Mr Brereton. No fine marked on report, but on endorsement, "Fine at $\frac{2}{8}$ th 25. 7. 6" (10 May, 1653).

(First Series, Vol. c., No. 4,020, fols. 329, &c.)

fo. 337. Letter dated at Preston 28 April, 1653, mentioning that, by an order dated 23 March preceding, made upon the petition of the above, they were required to examine such witnesses as should be produced before them, which they had done, and enclosed copies, and they certified that in 1643 petitioner was sequestered for popery and delinquency.

fo. 336. Examination of Mary, wife of petitioner, taken at Preston 20 April, 1653, who, sworn, said that the estate at Farrock House became vested in petitioner in right of her, deponent, who was sole daughter and heir of Robert Swinglehurst, gentleman, then deceased, and that she had never released or assigned to any one her interest and title of and in the said estate, and that she had done nothing in law or equity to debar her from receiving her dower after the death of petitioner.

fo. 334. Letter dated at Preston 22 July, 1653, signed by E. Aspinwall and Ro. Massey, referring to the above proceedings, mentioned they had taken the examination enclosed and cross-examined the witnesses on behalf of the Commonwealth.

fo. 329. Interrogatories administered to witnesses.

fo. 330. Examinations, taken at Blackburne July 13, 1653, of Robert Catterall, of Claydon-in-le-dale.

fo. 331. Interrogatory and cross-examination of the same.

(First Series, Vol. xxxi., No. 959, fols. 3, &c.)

fo. 3. Affidavit of Richard Thornton, of Fence in Bolland, aged fifty-eight years or thereabouts, who made oath that he was a witness to the sealing and delivering of a lease about twelve years then ago, made by Robert Swinglehurst, of Farrockhouse in Bolland aforesaid, gentleman, unto Christopher Harris, of Torrishome, gentleman, of a part of the tithe of Chippin called Wheatley cum Thornley for

21 years in consideration of £180 which deponent saw paid, and believed that the said Robert Swinlehurst had but a lease thereof for three lives only, *vizt.* for the lives of Robert, Thomas, and Richard Swinlehurst, and he further deposed that Robert Swinlehurst was dead; he, deponent, had been desired to go to his burial. Deponent had heard that Thomas Swinlehurst was dead; he heard this from one of the said Thomas's sons and others; Richard Swinlehurst was living about two months then ago, and was, deponent believed, about seventy years of age, and very infirm of body. (Sworn in London 10 May, 1653.)

fo. 5. "Christopher Harris of ffarrocke House, Gent maketh Oath that to the impropriat Corne Tythes mentioned in his Survey to arise out of certain lands lying in West Side of Wheatley *cum* Thornley in y^e Parish of Chippin in y^e sayd county and also the Tyth Corne arisinge out of the Demeasne Lands & Tenem^{ts} belonging to Bradley Hall lying & being in y^e sayd Parish for w^{ch} this Deponent Desireth to Compound, hee hath noe other estate therein but for about 8 or 9 yeares and then determinable upon the death of Richard Swinglehurst who is about 70^{ty} yeares of age as this Deponent verely believes

"Sworn before ye Com̄

y^e 10 of May 1653 (Signed) "CHRISTOPHER HARRIS"

"R M"

fo. 9. Order, dated 22 June, 1653, to the Commissioners of Sequestrations in the County of Lancaster, to allow Samuell Foxley, gent., to quietly enjoy a capital messuage called ffardockeholme and several lands in Bowland, Torrisholme Skirton, and ffoxton, together with two plots of ground whereon two burgage houses stood in the town of Lancaster, late parcel of the estate of Christopher Harris, purchased by the said Samuel Foxley from the Commissioners on the 19th April, 1653.

fo. 13. Copy of preceding contract, &c.

fo. 62. Petition of Christopher Harris above, which shewed that his name had been inserted into the late Act for Sale of Lands, that thereby his land became liable to

be sold, that a survey had been returned, and that by a proviso in the said Act he had liberty to compound for the same. He therefore prayed to be admitted to compound (4 May, 1653). Referred to Mr. Reading to report.

fo. 68. Petition (31 March, 1653). Referred to Mr. Reading to report.

fo. 70. Petition (23 March, 1652[-3]).

"Com^{rs} to ex. certify &c.

fo. 76. Petition (23 March, 1653[-4]).

(First Series, Vol. xix., No. 522, fols. 9, &c.)

fo. 9. Petition from Hugh Curre, which shewed that on a report by Mr. Brereton the Commissioners sitting in London on the 6 November, 1651, had allowed the petitioner's title to the rectory of Chipping in the county of Lancaster, sequestered for the delinquency of one Harris, and had ordered the Commissioners of Lancaster to pay to petitioner the arrears of the profits of the said rectory from the 24 December, 1649.

Notwithstanding the order the Lancashire Commissioners refused to pay the arrears, "pretending" they had been paid to ministers by order of the Committee for Plundered Ministers. Petitioner about seven years then preceding had paid £140 for the premises, but only for the life of one Richard Swinglehurst, who was then very aged and infirm, and petitioner had been at an expense of £100 in repairing of the house and barns, and in the recovery thereof, so that he was likely to be a great loser by his bargain. His most humble suit was to pray that an order might go to the Lancashire Commissioners directing payment of the said arrears out of some other sequestration, or to take such other course for petitioner's relief as to their wisdom should be thought meet.

"29 Sept^t 1652 w^t hath bin p^d by order of the Com^{ttee} for plunderd Ministers wee cannot recall."

"By the Com^{rs} for Sequestr^{cons} the 29 of Januarie 1651(-2)."

fo. 11. "Ormiskirke in Coñ Lanc.

"Whereas wee haue Received an Order from the Com^{rs} for Compounding dated the 6th of November last past made in the case of Mr. Hugh Curre upon the Report of Brereton a coppie of which Order and Report are hereunto Annexd whereby the said M^r Curre's tytle to the Glebe and tythes mençoned in the said Report (except the Tyth assigned by Deed dated 15^o Maij 17^o Caroli [1642] to Chrofer Harries for 21 yeares) is approved and allowed of and y^t the said M^r Curre bee pmitted to haue and enioy the same freed and dischargd from Sequestraçõn and y^t hee haue all Arrers thereof w^{ch} haue incrued since the 24th of December 1649. In pursuance whereof Itt is Ordred that the Agent for Blackburn hundred where the sayd Tythes lye shall yield obedience to the said Order and shall Observe the same in all things as thereby is Required (Exceptinge paym^t of y^e s^d arrers),¹ and that the tythes mençoned in the said Deed dated 15^o Maij 17^o Caroli growing upon the Lands & Tenements of these persons following *vizt* Robert Parker, Henry Cutler, Thomas Packer, James Rogerson, Wiffm Woane, Robert Hackings, John Walton, M^r Rich Sherburne, Wiffm Turnley [?], James Wilkinson, Chrofer Kenwin, Wiffm Cutler, Rob^t Eccles, John Dilworth, Tho. Eccles (for M^r Rodes Land), James Rodes, Allen Battell, James Dilworth, John Wilkinson, Tho: Dilworth, Tho. Alston, W^m Lancaster, Evan Eccles, Rich. Simpson, John Rodes of Priesthill, George Alston, & Edward Bradley lying on the West side of Thorneley Wheatley and Studley within the parish of Chippin bee continued under Sequestraçõn for the Poperie and Delinquencie of Chrofer Harries till further Order.

"And as to paym^t of y^e Arrers due since the 24th of December 1649 as aforesaid, the same having beene paid for the mainteñnce of Ministers according to Order from the Coñmittee for Plundered Ministers Itt is ordered y^t

¹ Interlined.

itt bee certified to y^e Com^{rs} for Compounding how the same have been disposed on and their further direc^{co}ns therein desired. Whereas there is a Rent Charge of £25. 1. 8 due out of all the sayd Tythes in Chipping form^{ly} due to y^e late Bishopp of Chester, and Sequestered from him, and now payable to y^e use of the State It is ordered y^t the said M^r Currer shall pay his proportionable pte of the said Rent due to the State and the farmer of the Tythes aforesayd yet under sequestra^{co}n to pay lykewise the so^{me} of £6. 13. 8 beinge the proportionable pte of the Rent due for those Tythes till further Order.

“And the farm^{rs} of the housing & Glebe Lands men^{co}ned in the said Report are upon notice hereof to appeare before us att our next sitting for Blackburn hundred to show cause why they have suffered the sayd housing to fall into decay and have not repaired the same according to their Contract otherwise we shall Certifye their default to y^e Com^{rs} for Compounding to be further p^{ro}ceeded as they shall see cause.

(Signed) “ROB^t CUNLIFFE
G PIGOT”

“Intr : E Wall

Endorsed “The Commission^{rs} Order
of Lancashire dated
January 29 1651[-2].”

fo. 13. Order of Commissioners, dated 6 November, 1651, signed by Edw. Winslow, Jo : Russell, Wit^m Molins, Ric : Moore, confirming the title of Mr. Hugh Currer to the Glebe and Tythes of the Rectory of Chippin, co. Lancaster (except the tythes assigned by Deed, 15 May, 17^o Car : to Christopher Harris for 21 years), also all arrears from 24 December, 1649.

“Int^r 78 L. (’38). T. Bayly.”

“I have taken notice of this Order
January the 20th 1651[-2]

“Vera Copia.

RIC : SHERWYN Auditor.”

Ex^r p E Wall.”

fo. 15. Report by Mr. Brereton based on an order of 12 July, 1650, on the petition of Hugh Curre, desiring that the Rectory of Chippin in the county of Lancaster, sequestrated for the delinquency of one Harris, might be discharged from sequestration. Mr. Brereton examined the case and found that Hugh Curre in 1646 had petitioned the Committee of Lords and Commons. It was then ordered that the Committee for Lancashire should examine and certify, which they did in May, 1647. Afterwards, the stating of the case having been referred to the Barons, the same was reported by the then Recorder of London, 27 October, 1649, but the Barons conceiving they had no power to determine titles, and Hugh Curre applying to the Commissioners, copies of the examination, of the Recorder's Report, and all other proceedings attested by Mr. Vaughan, and deposed by Hugh Curre, were transferred to Mr. Brereton, upon perusal of which, and other examinations taken by him, he found that Richard, Bishop of Chester, by indenture dated 20 December, 1598, demised the Rectory of Chippin, with all glebe lands, tythes, &c., to the said Rectory belonging, to Robert Swinglehurst, Tho. Swinglehurst, brother, and Richard Swinglehurst, younger, cousin to the said Robert, reserving rent, with clauses of re-entry, &c. The deed was deposed to by John Blogeburn. The said Robert Swinglehurst died in 1644, leaving an only daughter married to Christopher Harris.

Richard Thornewton deposed that Robert Swinglehurst the 15 May, 1641, did by indenture demise part of the tithes lying in Thorneley to Christopher Harris for 21 years, after expiration of former grants, if the said Robert and Richard Swinglehurst so long lived. He found by the examination of Edward Parker, "lawier," that Robert Swinglehurst in his sickness delivered the lease of the Rectory and gave directions to the said Parker to draw an assignment thereof to uses, but died before the same was brought to him by the deponent. He further deposed that he had acquainted Richard Swinglehurst that Robert

Swinglehurst by the said assignment had given him (Richard) £6. 13s. 4d. a year and some other things. Richard shewed himself thankful, and promised in all things touching the said Rectory to follow the directions of deponent, who advised him to keep possession of the parsonage house to those uses the "decedent" had declared, which were expressed in the said assignment, and to this the said Richard assented.

Christopher Rowles and William Troughton deposed they had heard the will (meaning the intended assignment) read, whereby Robert Swinglehurst disposed of the said Rectory to Christopher Harris, and that Richard Swinglehurst said he would go and take possession for the said Harris and Christopher Rowles, and Rowles deposed that the said Richard did take possession accordingly, but William Troughton deposed that the said Richard did not take possession, but sent unto his wife, who took possession for the use of her husband. And he found by a paper dated the 12 February, 1644[-5], and deposed by John Roulton and Henry Winder, two of the witnesses subscribed, that Elizabeth, wife of the said Richard Swinglehurst, the said 12 of February did enter into a close called Parsonage Hey, being part of the glebe, in name of the whole rectory, claiming to hold the same unto her and her husband as occupant during all such estate as was in the said Robert Swinglehurst and not by him assigned, and it was further deposed that at the death of the said Robert the said Richard Swinglehurst lived in the Parsonage House, and was in the possession of the same and of the land. And he further found that the said Richard Swinglehurst by indenture dated 8 February, 1645[-6], reciting the original lease to Robert Swinglehurst, that he died without assigning, and that the said Richard Swinglehurst, being the surviving life, had entered in a close called Parsonage Close in name of the whole glebe lands, houses, tithes, &c., unto the said rectory belonging, demised unto Robert Swinglehurst, claiming the same as occupant unto him and his assigns, during such estate as was in Robert Swinglehurst

and not by him assigned, for certain considerations assigned the said rectory and premises unto Raph Faber, his son-in-law, for ever to the use of the said Raph and his assigns for ever, and the said Raph Faber, by indenture dated 13 February, 1645[-6], reciting the said assignments, in consideration of £140 assigned all his interest in the said rectory to petitioner, Hugh Currer, and his assigns for ever.

Richard Marsden and others deposed that at the time of the sequestration, the said Richard Swinglehurst was in possession of the Parsonage House and glebe lands. John Rawkley and John Pie deposed to the collecting of tithes for the said Richard.

He found that the said rectory was sequestered for the delinquency of Christopher Harris, and by information upon oath of Roberte Cundcliffe, "late one of the Committee, now one of the Commissioners, for Sequestrations" in the county of Lancaster, that Richard Swinglehurst before the said Committee claimed the said rectory, which claim not being admitted as good by the Committee, the said Richard desired to be farmer thereof, which was refused till he disclaimed all title and interest by his entry as first occupant, which he did in writing, and thereupon was admitted tenant for the year ensuing, but he deposed not to the time of the disclaimer. John Howorth and Thomas Whalley deposed fully to the disclaimer of Richard Swinglehurst, and to his becoming farmer, but deposed nothing whether the disclaimer was by writing. John Howorth believed it was about 1644, and Thomas Whalley that it was in 1644 or thereabouts.

"Submitted to judgment whether the sequestration ought to be discharged or not" (1 May, 1651).

fo. 19. Petition. (Copy.)

fo. 21. Case of Hugh Currer, wherein the opinion of Baron Thorpe was desired by the Commissioners for Compounding.

After reciting the different changes which took place in the holding, the following were the points submitted :—

"Quere 1st Whether the sayd Richard Swinglehurst by his entry and clayme, & his receiving y^e profitts of the gleabe & collecting the Tythes hath not gayned an Estate of Franck tenement as Occupant?

2. Whether Richard Swinglehurst hath gayned an estate as Occupant in the gleabe alone, or in the Tythes also?
3. Whether the Disclaymer of Richard Swinglehurst haue devested the Franck tenement out of him?"

fo. 22. Opinion of Lord Thorpe.

"In this case Ro^t Swinglehurst dying before he had made the assignment wch he intended of the Gleebe and Residue of the Tythes not assigned to Harris and Richard Swinglehurst, entring upon the Gleebe he thereby became an occupant, both of the Gleebe and Residue of the Tythes not assigned and so he gayned an estate of freehold therein by the Act and Gift of Law in respect of his first entry.

"And therefor this was not liable to Sequestration for the delinquency of Harris.

"Touching Richard Swinglehurst his disclaymer before the Committee of his Title of occupancy and taking a Lease for a yere It will not alter the Law, nor devest the freehold out of him. Howbeit he well deserves to pay the rent agreed upon for that year.

(Signed) "FF. THORPE"

"5 Novemb
1651."

fo. 24. 30 October, 1651. Direction to Mr. Brereton to attend one of the Barons to obtain his opinion on the points raised in the report.

fo. 25. Report by Mr. Brereton (1 May, 1651).

fo. 29. Petition (12 July, 1650).

fo. 31. Examinations taken at Preston 22 August, 1650.

Deposition of Richard Marsden, of Bolland, gent. ; John Rawkley, of Chippin, husbandman ; George Pye, of the same, husbandman ; Robert Cunliffe, one of the Commissioners for Sequestrations ; John Haworth, of Clayton, yeoman ; and Thomas Whalley, of Rishton.

fo. 34. Communication dated Preston 14 September, 1650, mentioning proceedings taken and enclosing copies of examinations taken.

fo. 35. Communication from Preston dated 20 May, 1647, signed by J. Bradshawe, Peeter Egerton, and H. Fleetwood, mentioning that they had examined witnesses on both sides and sent copies of the evidence.

fo. 37. Examinations, taken at Preston 26 November, 1646, before the Committee, touching the tithes of Chippinge. Depositions of John Bolton, of Chipping, husbandman ; Henry Winder, of the same, husbandman ; John Sower, of Bolland (co. York), yeoman ; Robert Faber, Hencinge (co. York) ; Capt. Rich : Marsden ; Richard Thornton, of ffence ; Christopher Rolly [Roules], of Chipping ; William Troughton, of Farricke House, yeoman ; George Richmond, Chipping ; Edward Parker, Brushholme (co. York) ; Esq. ; Thomas Osbaldeston, of Batris. Sworn April 28, 1646.

" I Thomas Osbaldestone of Batris was one witness at the concluding of a mariage betwixt M^r Robert Swinglehurst of y^e Fardockeholme in Bolland on the behalfe of his daughter Marie on th'one parte and Christopher Harris of Torrisholme of the other part.

" ffirst M^r Swinglehurst beinge demaunded w^t porçon hee would giue with his doughter to the said Christopher Harris hee answered that he was not laid to giue any present portion but that hee said hee did intend to match his sonne as hee could conveniently & that hee would not take less then a thousand pounds with him & that he was three hundred pounds indebted w^{ch} hee said hee would pay out of the said thousand pounds & that hee would giue with his doughter unto the said M^r Harris £700 and that hee would keepe them both till hee did pay

them that portion if they were pleased to stay with him soe long.

"2. The second in case his sonne should mary without his consent and not get such a portion as hee expected hee did promise to charge his lands wth the payment of the portion of £700 aforesaid.

"3. If his son did not mary at all and dyed w^{thout} issue hee did promise to giue to the said M^r Harris in lieu of marriage portion after his death and the death of his son and his wife his whole estate meaninge both Farrick-hoose and the parsonage of Chippinge with all the rest of his estate or estates and uppon these conditions aboue-said the said Christopher Harris did agree to mary his [daughter] and did appoint the time w^{ch} was after performed accordingly."

fo. 51. Order of reference by the Barons of the Exchequer to "M^r Attorney Gen^l or M^r Recorder" to examine the matter with the certificates and proofs returned from the Lancashire Committee, and to report the state of the case to the Barons (17 October, 1649).

ff. 51-64. The Report, dated October 27, 1649.

Mr. Cuthbert Harrison, of Singleton Chapel.

(First Series, Vol. xxxiv., No. —, fol. 789).

fo. 789. Printed certificate, exhibiting that the above was a person qualified to preach the Gospel as in and by an ordinance was required, and therefore fit to receive such augmentation as had been formerly settled upon him or the place where he preached, dated 9th of June 1654, signed John Nye, Reg^r.

John Harrison, of Ashton in Amondernes.

(First Series, Vol. xxxiv., No. 1,090, fol. 799.)

fo. 799. Petition, which shewed that two third parts of his estate had been sequestered for his recusancy only.

Prayed to be admitted to contract for the same, &c. (13 January, 1653[-4]). Referred to Mr. Reading.

Sir John Harrison, of London, Knight.¹

(First Series, Vol. xxxiv., No. 1,090, fol. 845.)

fo. 845. His delinquency, that, being a Member of Parliament, he deserted the Parliament and voted in "y^e p^rtended plliament of Oxford."

He compounded upon a particular which disclosed that, among other large estates in various counties, he was seized in fee of the Manors of Beamond and Boulton, and the Grange called Beamond, and lands thereunto belonging, in the county of Lancaster, out of which he said there issued a fee farm rent to the Crown of £34, over and above which rent he estimated the above to have been worth £166 yearly "before these troubles"; he was also seized of a like estate in fee of the free fishing in the river of Loyne in the said county, out of which he said he paid the Crown a rent of £12 a year, above which it was worth to him £13. 6s. 8d. a year. He was fined on his general estate a moiety which was assessed at £10,745.

Margaret Harrison, of Hale.

(First Series, Vol. xii., No. 317, fols. 553, &c.)

fo. 553. Deposition of John Broughton, of Childwell, gent., sworn in London 23 June, 1652, who said that he

¹ And of Aldcliffe Hall, co. Lancaster, and of Balls, co. Herts. He represented Lancaster in both Parliaments of 1640, but was disabled September 4, 1643, "for being in arms against the Parliament." He was knighted at Whitehall January 4, 1641. He was again elected for Lancaster in 1661, and sat until his death, September 28, 1669. He petitioned to the House, and his fine of a moiety was reduced to £1,000, on payment of which orders issued, July 8, 1648, to the County Committees of Essex, Herts, Lancaster, Lincoln, and Norfolk to discharge the estates.

knew Margaret Harrison then late of Hale, widow, deceased, was in her lifetime possessed of a small tenement in Hale, and that she had an estate for her own life only ; that deponent, being one of the Sequestrators for the parish of Childwell about the year 1643, sequestered two thirds of it for her recusancy ; that she had died about two years then since or more ; that by her death the tenement came to her grandson Thomas Harrison of Hale, he being heir to William her eldest son ; that he knew Thomas Harrison for twenty years, and never knew him to be suspected of recusancy ; that he was a good Protestant, for "he was a constant hearer of the word of God at the chappell of Hale aforesaid."

Peter Harrison, of Hindley, Gent.

(First Series, Vol. xxxiv., No. 1,090, fol. 814.)

fo. 814. Petition, which shewed that petitioner's estate had been "secured," but not sequestered, by the Lancashire Commissioners upon some pretended charge exhibited against him, and he, desiring a speedy hearing and determination thereof, prayed for an order to the Commissioners below to make a speedy return thereof, and that in the meantime petitioner might, on security, enjoy his estate both real and personal (2 March, 1651[-2]). "The Com^{rs} to giue the heades of the charge to exⁿ & crosexⁿ and an ord^r of explana^õon."

Richard Harrison, of Waterhead, Gent.

(First Series, Vol. xxxiv., No. 1,090, fol. 798.)

fo. 798. Petition, which shewed that two third parts of petitioner's estate had been sequestered for his recusancy only. He prayed to be admitted to contract for same according to the Act (17 January, 1653[-4]). "Referred to M^r Reading."

Thomas Harrison, Gent.

(First Series, Vol. xxxiv., No. —, fol. 791.)

fo. 791. Order, dated 16 February, 1653[-4], to take possession of certain lands, parcel of the estate of the above, and lying in Speake, co. Lancaster, which had been purchased by William Layton, gent.

Thomas Harrison, of Oglett,¹ Husbandman.

(First Series, Vol. xxxiv., No. 1,090, fol. 808.)

fo. 808. Petition, which shewed that petitioner's mother in her lifetime held for life a small estate in Oglett, which had been sequestered for her recusancy, she having died it came to petitioner her son and heir, who ever had been a friend to the Parliament, yet the Lancashire Commissioners declined without an order from above to discharge the same from sequestration, he therefore prayed for the usual order (11 March, 1651[-2]). "The Com^{rs} to ex : & certifie & ref^d to M^r Brereton."

(First Series, Vol. xcvi., No. 3,877, fols. 587, &c.)

fo. 590. Preston, 12 April, 1652. Letter mentioning that, in observance of the order of 11th March preceding, they had taken the examinations and enclosed copies. Signed by Robt. Cunliffe and G. Pigot.

fo. 587. Examination of John Broughton, of Little Hoolton, gent., who said that he, with one William Plombe, was in the year 1643 employed as Agent for Sequestrations in Derby Hundred, and that they had sequestered the estates of several persons, among them that of Elizabeth Harrison, for recusancy only ; that she died about 26

¹ In the township of Speke in the parish of Childwall.

December, 1651, and by her death the estate came to petitioner, son and heir to Richard his then late father; that petitioner was a Protestant and had always been a friend of the Government. William Plumb also, sworn, deposed to the same effect (9 April, 1652).

Anne Harsnepp.

(First Series, Vol. xxx., No. 941, fols. 814, &c.)

fo. 814. Petition from Thomas Harsnepp, of Mawdesley, yeoman, which shewed that a certain tenement in Mawdesley in the county of Lancaster had been leased by Thos. Hesketh and Robt. Hesketh, lords of the same, to petitioner for 99 years, determinable on three lives, which tenement had been sequestered for the recusancy only of Anne Harsnepp, then deceased, and had so continued, two parts of it having been let by the Sequestration Agents of the county at a rental of £3. 10s. a year. Petitioner had always been conformable, and had procured two several orders from the Commissioners above, directed to the Commissioners for Lancashire, to examine petitioner's witnesses on oath, which examinations having been returned to Mr. Brereton to report, he deemed it necessary that another order should issue to examine petitioner and Lady Hoghton in the cause. This certainly would prevent the cause for a long time being heard, he therefore prayed for an order directed to the Lancashire Commissioners to stay the sequestration, and that the rent of £3. 10s. might be kept in petitioner's hands upon sufficient security until the case were heard (23 April, 1652). "Ord: accordingly."

fo. 816. Petition (21 October, 1651). "The Com^{rs} to ex. & certify & then Referr'd to M^r Brereton."

fo. 817. Petition (22 April, 1652).

fo. 819. Petition (18 March, 1651[-2]).

ff. 821-823. Report by Mr. Brereton. He found that

by an indenture tripartite, dated 3 August, 1636, between Thomas Hesketh, of Rusforth, Esq., and Robt., his brother, of the first part, Thomas Harsnepp (petitioner), of the second part, and Dame Jane Houghton, widow, of the third part, reciting that the said Thos. and Robt. Hesketh, by indenture dated the 1st of July then last, for the considerations therein expressed, demised the tenement after mentioned to Cuthbert Aspinwall for 99 years if three lives so long lived, and reciting that by indenture tripartite, made the 30th of July aforesaid, between the said Cuthbert Aspinwall, of the first, the said Thomas Harsnep, of the second, and the said Dame Houghton, of the third part, the said Cuthbert Harsnepp [*sic*], in consideration of £42 paid by the said Dame Jane Houghton and Thomas Harsnep, assigned the said tenement to the said Thomas Harsnep during the remainder of the said term. The said Thomas and Robert Hesketh by the said indenture dated 3 August, 1636, in consideration of the £42 so paid and in consideration of the surrender of the said original lease, and of a competent sum of money paid by the said Dame Jane Houghton and Thomas Harsnep, demised their tenement in Maudlesley, formerly in possession of Wm. Harsnep, father of the said Thomas Harsnep, deceased, and after of John Harsnep, brother of the said Thomas, and then or then lately in the possession of Ann Harsnep, relict of the said John, to have and to hold for 99 years, if the said Thomas Harsnep and Richard Hesketh and Bartholomewe Hesketh, sons of Nicholas Harsnep a/s Hesketh, should so long live, and the said Thomas Hesketh and Robert Hesketh covenanted with the said Dame Jane Houghton that the said Thomas Harsnepp, his executors, administrators, and assigns, should during the said term quietly enjoy the said tenement, and to give further assurance at the cost and charges of the said Dame Jane Houghton and Thomas Harsnep, or of the executors or assigns of the said Thomas Harsnep; the sealing and delivery of which indenture on the day of the date or thereabouts was

deposed to by John Watkinson, one of the witnesses endorsed, and Robert Hesketh and Robert Barton, two of the witnesses, deposed they saw the execution of the said indenture, and the said £42 paid, by the said Thomas Harsnep.

Jane Lady Houghton deposed that the said lease was not anyways, directly or indirectly, in trust for her. Thomas Harsnep deposed that the money paid was his and not Lady Houghton's, and that the lease was not in any way made for her use, nor directly or indirectly in trust for her.

Richard Prescott deposed he was servant to the said Anne Harsnepp, who, to this deponent's knowledge, was possessed of a tenement in Maudesley for her life, being the last life mentioned in a lease made of the said tenement by Robt. Hesketh; that two thirds of the tenement had been sequestered for the recusancy of the said Ann, who died on the 10th of August then last [1651] and was buried in the parish church of Croston, and that the tenant right of the said tenement by her decease fell unto the said Thomas Harsnepp.

James Thompson confirmed preceding witness.

He submitted to judgment whether the sequestration for the recusancy of the said Anne Harsnep ought not to be discharged, and the petitioner, Thomas Harsnep, permitted quietly to enjoy the premises (31 May, 1652).

fo. 826. Order of reference to Lancashire Commissioners (21 October, 1651).

fo. 827. Petition (no date). (Copy.)

fo. 830. Communication dated at Preston April 1, 1652, signed by Robt. Cunliffe, G. Pigot, enclosing copies of examinations, &c.

fo. 831. Examination of Robert Hesketh, of Rufforth, gent., and Robert Barlow, of Rufforth, yeoman.

fo. 824. Communication dated at Manchester 7 May, 1652, signed by Edw. Aspinwall and G. Pigot, enclosing copies of examinations taken, &c.

fo. 835. Examination of Dame Jane Houghton, of

Mawdesly, widow, and of Thomas Harsnep, of Mawsdesley, the elder, yeoman.

fo. 837. Communication dated at Ormiskirke 27 December, 1651, signed by Edw. Aspinwall, Robt. Cunliffe, G. Pigott, mentioning proceedings taken by them, and enclosing copies of the examinations and other matters.

fo. 839. Examination of Richard Prescott, of Mawdesley, and

fo. 840. of John Walkinson, of Rusford.

For **Henry Bartley** see **Earl of Derby**.

Robert Haulgh, of Moston, Gent.

(First Series, Vol. lxxix., No. 2,465, fol. 279.)

fo. 279. Petition, shewing that the Commissioners for Lancashire had then lately seized a messuage and tenement lying in Moston on the pretence that the same had formerly been sequestrated. Now, as the said messuage did not stand on the first of December, 1651, actually sequestered for the delinquency of petitioner or any other person, he therefore prayed for an order discharging the same, or an examination as to whether the premises stood sequestered or not on that date (12 July, 1653). Referred to ascertain whether, &c.

(Second Series, Vol. liii., No. 3,556, fols. 722, &c.)

fo. 722. By his particular he appears to have been seized in fee of a messuage with lands lying in Mosden, worth annually £6.

fo. 724. Petition, in which he stated he had not acted against the State since 1648.

fo. 725. Report by Mr. Readinge. Fine £30 at one third (2 December, 1653).

For **Edward Hawarden** see **John Lancaster**.

John Hawarden, of Widnes, Gent.

(First Series, Vol. lxxxi., No. 2,577, fol. 514.)

fo. 514. Petition, shewing that two thirds of petitioner's estate had been sequestered for his recusancy only. He prayed to be admitted to contract for the same (13 January, 1653[-4]). Referred to Mr. Reading.

For **Thomas Hawarden** see **Thomas Culbeth**; also **Richard Holland** and **Richard Watmough**.

Henry Haword, of Eccleston.

(First Series, Vol. xxx., No. —, fol. 898.)

fo. 898. Petition, which shewed that an order of the Commissioners above, dated 19 February, 1648[-9] (a copy of which was annexed to this petition), was issued, referring this case to the examination of the Commissioners for Sequestrations in Lancashire, and directing them if they found the allegation in the petition to be true, to discharge the lands mentioned from sequestration; that in obedience to that order the Lancashire Commissioners on June 19, 1649, ordered the Agent for Sequestrations to permit petitioner quietly to enjoy the said premises according to the intent of the deed therein mentioned, which he did till recently before date of present petition, when the Lancashire Commissioners declined to yield obedience to the former order without the further confirmation and approval thereof by the Commissioners above (25 June, 1651). "The former order to be pursued."

"Gouldsmithes Hall
London.

"By the Com^{rs} for Compoundinge
with Delinquents. 19^o ffebr. 1648[-9]

"Whereas upon the petiçon of Henry Haword of

Eccleston in the countye of Lanc^r thereby settinge forth that Edward Haword his Late father Deçd beinge a Delinquent and Recusant was seised of an estate for his lyfe of a small tenement in Eccleston aforesaid of the yearely value of nyne poundes w^{ch} yet continues Sequestred for the said Edward's Delinquencie and recusancy and of right ought to come to Margaret his widdowe whoe hath conveyed the same to the pet^r who is noe delinquent nor recusant but conformable to the Church of England and well affected to the Parliament. And forasmuch as by the death of the said Edward his recusancy and delinquency dying with him, the said estate ought to haue beene discharged beinge not worth aboue ix^{li} p anⁿ for a lyfe and nowe come to the said Margarett and soe to the pet^r (if they were delinquents) ought by the pposiçõs of Parliament to bee discharged from seques-traçõn.

“And for that noe Delinquencie appeareinge upon the said Margaret or the nowe pet^r WEE haue therefore thought good to signifie to yo^u our opinions herein w^{ch} is that if upon examinaçõn of the premisses yo^u shall fynd the same to bee true yo^u may accordinge to the said pposiçõs dischargde the said Lands of the said Edward Haword from Sequestration w^{ch} wee reco^mend to yo^r consideraçõn and rest.”

(Signed) “ROBT. JENNER
RIC VENNER
D WATKINSE
IO. RICHARDS

JOHN ASHE
GODFREY BOSEVILLE
CRÖ PACKE”

“To all Co^mittees and Sequestrators
for the County of Lanc^r and all
others whom it may Concerne”

“Vera copia ex: p
Tho: Whalley”

fo. 901. "Padiham in
Co^m Lanc^r

Att the Co^mittee 14 June 1649."

Copy of order to Sequestration Agents ordering them to suffer petitioner, Henry Haword, to quietly enjoy the tenement, signed by Ric: Shuttleworthe, John Starkie, Rob^t Cuncliffe.

For Richard Haworth see Sir Cecil Trafford.

John Haydocke, Minister of the Gospell at Woodplumpton.

(First Series, Vol. xxx.)

fo. 387. Printed certificate, exhibiting that he had been approved as a person qualified to preach the Gospel and therefore fit to receive such augmentation as had been formerly settled upon him or the place where he preached. At Whitehal, 18 July, 1654.

For Mary Haydocke see Nicholas Newsham.

For Bradley Hayhurst see Richard Armston.

Thomas Heape, of Pilkington, Gent.

(Second Series, Vol. xxxi., No. 1,684, fols. 517, &c.)

fo. 517. Delinquency, in arms under the Earl of Derby, his landlord, against the Parliament. He compounded on a particular which disclosed that he possessed an estate for 99 years of three lives or so long as any of them live of a messuage or tenement and several closes of land in Pilkington, worth £45 a year; which estate he had by assignment, 4 September, 1640, from his father, Richard Heape, in which assignment it was conditioned that if Jane, compounder's mother, survived his father, she should enjoy a moiety of it for life. Debts due to compounder, £50.

Fine, 14 February, 1647[-8], £200. "15 May 1649 The fine reduced to a sixt, according to order, & is £101."

fo. 520. Petition, in which he states that being a tenant under the Earl of Derby he was threatened from his dwelling house into service as a common trooper under the said Earl.

fo. 521. Certificate signed by Wm. Barton, that petitioner took the National Covenant before him 8 February, 1647[-8].

fo. 522. Similar certificate by Tho: Vincent, that he took the Negative Oath on the 9th of the same month.

fo. 523. Particular of his estate.

Mr. Charles Hearle, Minister of Winwicke.

(First Series, Vol. xcvi., No. 3,857, fols. 441, &c.)

fo. 441. "Gentlemen

"Wee Received yo^r order of the 9th of Janurie instant wherein wee are Required to transmitt unto you the charge Informa^{co}ns and deposi^{co}ns against Mr. Herle minister att Winwicke, wee had Ere this returned the same, But y^t our wholle tyme for many days past hath been taken upp in the letting of Seqrd Estates and in other Busines of the Sequestra^{co}ns. But now in observance of yo^r order wee humbly make Bold to Certifie y^t the Informa^{co}ns formly Exhibitted against him, Wee By [letter] of the nynth of December last [1651] certified unto you all the Informa^{co}ns taken against him (amongst many others) coppies of w^{ch} Informa^{co}ns wee haue here again sent onely wee haue added a coppie of his Sonn's Exāia^{co}n hee beinge produced by Mr. Herle in his defence and Sworne. But when we Exāied him in Behalfe of y^e State hee denyed to take his Oath to the Same—onely he hath subscribed his name to it, w^{ch} wee Submitt to yo^r honno^{rs} further Judgm^t And Rest

(Signed) Yo^r most humble Serv^{ts}

"Chorley 30^o Janua^r
1651[-2]

ROB^t CUNLIFFE
G PIGOT"

fo. 435. Timothy Featherstonhaugh, of Kirkowsle, co. Cumberland, examined, said that he went into England with the Scotts' King, and upon his return from Warrington towards Preston with the Earl of Derby he saw Mr. Herle, Parson of Winwicke, at Winwicke with Major Ashurst, and heard he was with the Earl. (Taken at Warrington 29 August, 1651, before Ric. Shutleworth, Tho. Fell, and John Starkie.)

fo. 435. Richard Hunter, of Warrington, taylor, examined at Warrington same day as preceding, on oath, said that upon the same day after the Earl left Warrington with his forces, Mr. Herle, minister at Winwicke, repaired to Warrington and enquired for the Constable of Warrington, he not meeting with the Constable, but with one Samuel Leech, of Warrington, and he, Leech, told examinant that Mr. Herle had the care of wounded men committed to his charge by the Earl, and that he had come in to give some orders about them, and examinant, perceiving that Mr. Herle was drinking at the house of Thomas Wosencroft in Warrington, said to his private friend hee would go and give the said Mr. Herle an alarm, and thereupon he repaired to Wosencroft's house, and, finding the said Mr. Herle and Wosencroft in company, told the latter he must provide quarters for the Roundheads that were incoming, whereupon Mr. Herle forthwith took his horse and went forth of the town, and he further said that it was commonly reported that the said Mr. Herle did familiarly go to the king's forces, and (as William Walker reported to this examinant) the said Mr. Herle did follow the Scotch king's forces to Stoken [Stockton] Heath and was an "Intelligencer" to the said Sootch king.

William Walker, of Warrington, a collector of the Excise, examined same day and sworn on oath, said that when the Earl of Derby was last in Warrington the soldiers there upon guard said that Mr. Herle and his son were there, but deponent only saw their backs. He knowing them well, said he verily believed they were Mr. Herle and his son, and he further said that on the Satur-

day before examinant was taken prisoner, Mr. Herle and his son were with Major-General Lambert's forces at Stokenheath, near Warrington, armed with swords, and thence (as examinant had heard by Mrs. Cone, of Lymme) the said Mr. Herle and his son returned through Lymme to the king's army, and it was then by the said Mrs. Cone and others suspected that the said Mr. Herle and his son came as spies unto the army of the said Major-General Lambert.

fo. 437. William Booth, of Warrington, gent., sworn, said that when the forces of the Parliament, under the command of Major-General Lambert and Major-General Harrison, rendezvoused upon Stoken Heath, near Warrington, he saw Mr. Hearle, parson of Winwicke, and his son upon a bancke looking over those forces, and said that John Hill, of Burtonwood, upon Tuesday then last told witness that the same day that the Earl of Derby marched out of Warrington he saw the said Mr. Hearle riding with Major Ashurst about a mile from Warrington, Major Ashurst being then in discourse with Mr. Hearle, telling him of some danger he had been in, to which Mr. Herle replied, saying that the Lord had delivered him out of all, or words to that purpose.

fo. 438. John Southworth, of Warrington, draper, sworn, said that when the Parliamentary forces rendezvoused on Stockden Heath (the enemy being then within view) he saw Mr. Herle, parson of Winwicke, and his son looking over those forces, and had heard (by relation from William Walker and Richard Hunter) that the said Mr. Herle was in Warrington with the Earl of Derby when his forces lay there. (Taken same day as those above.)

Edward Herle, gent., examined on oath, said that on the Wednesday on which the then late Earl of Derby with his forces marched from Warrington towards Wigan, Major John Ashurst, then a commander under the said Earl, came to Mr. Herle at or nigh to his house (he being minister at Winwicke and father of witness) and told the said Mr. Herle that he (Major Ashurst) was to take him to the Earl, then at Warrington, and that afterwards the

said Major Ashurst, witness, and his father went all towards Warrington on foot, witness being sent in advance on Major Ashurst's horse to see if the said Earl continued at Warrington ; he, witness, ascertaining that the Earl had left, returned towards his father and Major Ashurst and met them before they reached the town and informed them ; thereupon witness, his father, and Major Ashurst returned to his father's house at Winwicke, and after they had eaten some meat and furnished themselves with boots and horses they, the said Major Ashurst, witness's father, and he himself, together with two commanders on the said Earl's part, went all together to Wigan, he and his father being each armed with a rapier, where they found many of the said Earl's forces ; and afterwards his father and Major Ashurst left Wigan at the call of Major Ashurst in the direction of the Earl of Derby, and in less than two hours witness's father returned, together with witness, to their place of abode at Winwicke.

(First Series, Vol. lxxx., No. 2,525, fol. 357.)

fo. 357. Petition, which shewed that petitioner was possessed of the Rectory of Winwicke, co. Lanc., and for the better advancement of the Gospel did willingly allow yearly out of the same Rectory £240 to be divided between three ministers who were to officiate in three chapels within the said parish ; that petitioner being called up to be of the then late Assembly, and being well known to have been cordially affected towards the Parliament, had his house plundered and suffered much in his estate by the enemy, which partly lay within their power, and the better to get the profits of his estate (by advice of some Parliament friends), he permitted a sequestration to be laid upon his estate under the pretence that it belonged to Sir John Fortescue, a recusant, by which means he had the assistance of the Committee in the country ; but since the said Sir John, taking advantage of the said colourable sequestration, made his addresses [petitioned]

to the Commissioners above, and upon hearing the cause upon Mr. Brereton's report, an order was made directing the Lancashire Commissioners to apportion the estate and dispose of it, £225 a year to petitioner, £240 to the chapels, and the overplus into three parts, to be divided, two of which petitioner was to receive, and the said Sir John the other; but so it was that the said Commissioners, to the great prejudice of petitioner, met about the execution of the said order [at] a place far distant from petitioner's, and he being aged and infirm could not be present, and they (as petitioner conceived) had not followed the order, inasmuch as, in that part they had set out for the said £225 per annum, they had valued the estate at more than it was worth, and not according to the reserved rent; and they divided the residue into three parts, gave the said Sir John one, and left petitioner to pay the £240 to the chapels, so that petitioner's two thirds come not to so much by far as the said Sir John's one third, and petitioner had offered the said Sir John £40 a year more than his two thirds remaining after the payment of the said £240 in exchange for Sir John's one third.

Prayed, therefore, for a reconsideration of the order (19 October, 1653). "Both parties to be heard this day fortnight."

See also papers of Sir John Fortescue.

Robert Helme, of Goosnargh.

(First Series, Vol. xcvi., No. 3,869, fols. 531, &c.)

fo. 534. Communication from the Lancashire Commissioners, dated at Preston 16 October, 1651, mentioning that, in observance of an order of the 12 June preceding, they had examined witnesses touching the matters mentioned in the petition of Edward Rigby, of Gray's Inn, Esq. (copies

enclosed), and they certified the estate mentioned in the petition had then long since been sequestered, and that at the time of petitioner's entry it was under sequestration for non-payment of rent, and so then remained for the recusancy of Robert Helme, the tenant.

fo. 531. Examinations, taken at Preston August 8, 1651, of Robert Hesketh, gent., son and heir apparent of Robert Hesketh, of Rufford, who, sworn, said he was present when Alexander Rigby, serjeant-at-law and one of the Barons of the Public Exchequer, then lately deceased, sealed and delivered an indenture, dated 15 December, 1648, made between him, the said Alexander Rigby, of the one part, and Edward Rigby, of Gray's Inn, in the county of Middlesex, Esq., younger son of the said Alexander and Alice Wildford, daughter of Sir Thomas Wildford, of Ildinge, co. of Kent, knight, deceased, of the other part, and also another indenture made between the said parties, dated the 17 December, 1649. Also examination of Alexander Tompson, of Wigan, gent., who deposed that he was present and a witness of the sealing and delivery of the indenture dated 15th February 18^o Charles I. [1641], made between Alexander Rigby, of Wigan, Esq., and Robert Helme, of Goosnargh.

fo. 532. Examination of William Wilson, servant to petitioner.

Hugh Henshaw, of Ellins Chapel.

(First Series, Vol. lxxviii., No. 2,401, fol. 121.)

Printed certificate, exhibiting that he was a person qualified to preach the Gospel as by the ordinance required and therefore fit to receive such augmentation as had been formerly settled upon him or the place where he preached. Dated seventh February 1654[-5]. Jno. Nye, Reg^r.

Margerie Heritage, of Claughton.

(First Series, Vol. xxxiv., No. 1,081, fols. 634, &c.)

fo. 634. Petition from John Heritage, of Claughton, yeoman, which shewed that Margery Heritage, petitioner's mother, held a certain messuage and lands lying in Claughton during the "nonage" of petitioner; she being a recusant, the messuage and lands being found in her possession, two parts out of three were sequestered. Petitioner, who was heir-at-law to the said messuage, having attained his majority, being a Protestant, his father having been a Protestant, and he (petitioner) having been so brought up from a child, being also well affected to the Parliamentary Government, prayed for an order to the Lancashire Commissioners to discharge the sequestration, or otherwise examine such witnesses as he, petitioner, should produce in proof of the premises of his petition (8 September, 1652). "Com^{rs} to ex. & ref: to M^r Brer[eton]."

fo. 635. Report, dated 24 November, 1653, by Mr. Peter Brereton, based on the order above. He found that Sir Thomas Leigh, of Stoneley, co. Warwick, knight, and Thomas Spencer, of Claredon, in the same county, Esq., by indenture dated 6 February, 1601[-2], in consideration of £133. 6s. 8d. mentioned to be paid, granted, sold, enfeoffed, and confirmed to John Heritage, petitioner's grandfather, a messuage and tenement situate in Claughton, then or then late in the possession of the said John Heritage, the grandfather, and the eighth part of all the commons and waste grounds lying in the manor or town of Claughton, to have and to hold to the said John Heritage, his heirs and assigns. This indenture was produced, the sealing, &c., was proved by John Heritage, petitioner's uncle, and the said Sir Thomas Leigh and Thomas Spencer, by their deed poll dated 9 February in the same year, in part performance of the covenants contained in the said indenture and for divers sums of money and other good considerations enfeoffed and confirmed to the said John Heritage,

the grandfather, to have and to hold to him and his heirs, &c., for ever. The said deed poll was also produced, and endorsed to have been sealed and delivered in the presence of four witnesses all then dead, and with possession and seizin endorsed to have been delivered by Robert Keighley to the said John Heritage, the grandfather, on the 6th of August, 1602, in the presence of Richard Whittingham, John Barton, and three other witnesses, all then dead, as was alleged. Hugh Barton deposed that he knew the handwriting of the said Richard Whittingham and John Barton, and he verily believed their names endorsed upon the said deed to be their proper handwritings. It appeared further, from the evidence of John Heritage, the uncle, John Walker, and John Adamson, that John Heritage, the grandfather, purchased the said messuage as stated; that he was reputed owner thereof and enjoyed the same during life (about twenty years); that by his death the messuage descended to Hugh, his son and heir; that Hugh enjoyed it about eighteen years, and died about ten years then ago, and that petitioner was eldest son and heir of the said Hugh, and that the premises ought to have descended and come to the said Hugh; that he was about the age of fifteen at the time of the death of his father, and then about twenty-five; that he was brought up a Protestant and was a Protestant, and a common frequenter of the ordinances, resorted to prayer and sermons at his parish church (Garstang), and stood elected churchwarden for the year (1653). It further appeared that two parts of the premises had been sequestered about seven years then ago for the recusancy of Margerie Heritage, his (petitioner's) mother.

Margerie Heritage deposed that the premises came to her possession by the death of her husband; that she had only an estate therein until petitioner attained the age of twenty-one; that he was then twenty-five years of age, and an only son.

Petitioner deposed that he had not done, or caused or suffered to be done, any act or acts, thing or things, either in law or equity, to debar or hinder or weaken his

title, nor did he know anything to the contrary but that he ought to enjoy the said lands, the same of right belonging to him as heir to his father.

The Commissioners of the County of Lancaster, together with the said examinations taken by them, certified that the said messuage was by the order of the then late Committee sequestered on the 21st October, 1646. They also transmitted a certificate from Christopher Edmundson, pastor of Garstange, dated 17 April then last, exhibiting that petitioner had attended the parish church all the time of divine service and sermon, and had been elected churchwarden for the then present year. Certificates were also transmitted from the Registers and Auditor.

So he submitted to judgment whether petitioner ought not to be permitted to enjoy two thirds of all the said messuage discharged from sequestration, and whether two thirds of the other third part ought not to be continued under sequestration for the recusancy of his mother, who seemed to have had good title to dower, except good cause to the contrary were shewn.

fo. 639. Reference to Lancashire Commissioners (8 September, 1652).

fo. 641. Petition (8 September, 1652). (Copy.)

fo. 645. Communication, dated at Wigan 14 June, 1653, signed by E. Aspinwall, Nich. Cunliffe, and Ro. Massey, mentioning the steps they had taken in the case, enclosing copies of the examinations, mentioning that two third parts of the land had been sequestered on the 21st October, 1646, for the recusancy of Margerie Heritage, widow, mother of petitioner, who was living then, and "Dowerable" (as they humbly conceived) of one third part of the premises.

ff. 647-650. Interrogatory to be administered to the witnesses produced on behalf of petitioner.

fo. 651. Examinations, taken at Preston 26 May, 1653, before the Lancashire Commissioners, of John Walker, of Claughton, husbandman, aged fifty; John Heritage, the elder, of Myerscough, husbandman, aged sixty;

fo. 653. of John Adamson, of Catterall, yeoman, aged fifty-one ;

fo. 654. of Margerie Heritage, of Claughton ;

fo. 655. of John Heritage, the younger, of Claughton, yeoman (petitioner) ;

fo. 656. of Hugh Barton, of Claughton, yeoman, aged thirty-five ;

fo. 657. of petitioner again, to the 9th Interrogatory ; also of John Heritage, the elder.

fo. 658. " Apud Garstange April 17, 1653

" These are to certifie any whom it may concern that John Heritage of Claughton in Amoundnes and pish of Garstange was the day and yeare aboue written in o^r pish church all the tyme of Diuine Seruice and Sermon and that he is Ellected Church warden for Claughton for this present yeare In witnesse whereoff wee haue hereunto subscribed o^r names the day and yeare aboue written.

(Signed) " CHRISTOPHER EDMUNSON Pas^d ibid

the marke 7 of

John Burne

W^m Mary^eson "

fo. 659.

" Preston in Co^m Lanc^e

" At the Co^mittee Octobr 21th 1646

" fforasmuch as by information Exhibited upon oath by George Groome and Richard Robinson two of the apprizors for Seq^{ns} within the Hundred of Amoundnes. It appears that Margerie Heritage widdow haucin by a former order her Estate Secured for Recusancy and hath bene su^moned to appeare before this Co^mittee and thereupon hath confessed to be a papist and offered to compound wth the agents for the estate It is therefore ordered that the said agents shall forthwith pceed in Seqⁿ of two ptes of her Estate and shall dispose thereof for the use of the publique according to Ordnance of Parliament

(Signed)

" ALEX RIGBY

PETER EGERTON

THO BIRCH."

fo. 664. A certificate declaring that on an examination of the books of Information belonging to the then late Committee and the then Commissioners for advance of money, &c., no charge or information of delinquency, recusancy, or otherwise was found against petitioner (July 7, 1653). Signed by E. Mallison, Reg^r.

fo. 667. Certificate, signed by T. Bayly (27 June, 1653), exhibiting what proceedings had been had in the case.

(First Series, Vol. c., No. 4,090, fols. 609, &c.)

fo. 613. Similar to folio 645 on p. 183.

Bartholemew Hesketh, Esq.,¹ and William Leatherbarrow, Husbandman, of Aughton.

(First Series, Vol. xxxiii., No. —, fols. 186, &c.)

fo. 186. Petition, which shewed that the Commissioners for Sequestrations in the County of Lancaster had then recently seized and secured petitioners' estates, upon a charge of delinquency pretended to have been acted by them subsequently to the 30 January, 1648[-9], of which petitioners were wholly ignorant; and as the Commissioners refused to take security for their estates without an order from above, petitioners therefore prayed that they might have a copy of the charge, the names of the witnesses examined against them, with liberty to cross-examine them, and to examine such other witnesses as petitioners should produce in their own defence, and that upon good security they might enjoy their personal, and receive the rents and profits of their real, estates. Prayer granted, except as to the personal and real estates (24 March, 1651[-2]).

fo. 188. Affidavit of Bartholemew Hesketh, of Aughton, Esq., touching a chief rent of 16d. a year on some lands

¹ Son of Gabriel Hesketh, of Aughton, Esq., by Jane his wife, daughter of Henry Stanley, of Bickerstaffe, Esq. He was 64 years of age at the Visitation of 1664. His will was proved at Chester March 26, 1673.

called Beaconsall, in the tenure then of one James Stanley, lying in Aughton.

fo. 189. Petition relating to the same subject, by which it appeared that petitioner's grandfather and father in their lifetimes, and petitioner subsequently to their deaths, had enjoyed a just and undoubted right belonging to the manor of Aughton of a chief rent of 16d. a year issuing out of the estate of James Stanley, of Aughton, but by reason of the sequestration of his estate, petitioner for some years then preceding had not received the said chief rent. The Lancashire Commissioners well knew petitioner's just right to the same, and that it ought to be paid to him, yet they desired first to have an order from the Commissioners above. Petitioner therefore prayed that the order might issue for the arrears, present and future payment thereof to him (7 April, 1652). Petition granted. [*At foot*: "q. if not in y^e 3^d warr."]]

fo. 192. Certificate stating that Bartholemew Hesketh, of Aughton, was not, nor ever had been, under sequestration, but that his estate had been "secured" in 1651.

fo. 193. Similar certificate as to delinquency.

fo. 196. Similar certificate from the Accountant of late Committee or then Commissioners that he had not been under sequestration.

Gabriel Hesketh, of Goosnargh, Gent.¹

(First Series, Vol. lxxxv., No. 3,049, fols. 637, &c.)

These papers relate to a water mill in Chipping and a parcel of ground called Black Mosse in the county of

¹ Son of Cuthbert Hesketh and Jennet, daughter of John Parkinson, of Whinney Clough. Cuthbert Hesketh settled at Whitehill, Goosnargh, "about the close of the 16th or very early in the 17th Century" (see Lieut.-Colonel Fishwick's *History of Goosnargh*, p. 159). He was the fourth son of Gabriel Hesketh, of Aughton, whose third son, Sir Thomas Hesketh, knt., settled at Heslington, in the county of York, and, dying without issue, left his estate to Cuthbert, whose eldest son, Thomas (named in these papers), inherited Heslington. Gabriel Hesketh was Cuthbert's third son, and married Ann, daughter of Robert Simpson, of Barker in Goosnargh, by whom he had nine children.

Lancaster, sequestered for the delinquency of Gabriel Hesketh. The Lancashire Commissioners had been directed to take the examination of the above Gabriel Hesketh, who

fo. 637. deposed that he was of Goosnargh, co: Lanc.; that neither he, nor any other person to his use, so far as he knew, had any present estate in the above, except what was mentioned in Mr Reading's report of the 26 July, 1654, namely, one lease of the said little mill made to him from James, then late Earl of Derby, for the uses of Ann, his wife, Gabriel and Elizabeth, his children, who were all dead, and another lease of that parcel of ground called Black Mosse from Richard Sherbourn, Esq., for a term of eight years from October, 1642. On being asked, he said he believed there was no fine passed of the said mill and moss from Richard Sherbourn to Thomas Hesketh, but he knew that Sherbourn sealed and delivered a deed of feoffment of them to the said Thomas Hesketh, and that the deed was executed by livery and seizen and attornment of tenants, and that he, deponent, attorned amongst others, and that the deed then shown him, dated April 1, 1648, was the deed he attorned.

fo. 638. Examinations of Robert Shew, of Potterford, and Thomas Rogerson, of Thornely.

fo. 639. Letter from the Lancashire Commissioners, dated at Preston 24 October, 1654.

(First Series, Vol. xxxiii., No. —, fol. 177.)

fo. 177. Petition from Thomas Hesketh, of Heslington, co. Yorke, which shewed that James, Earl of Derby, did by lease, dated 10 August, 8^o Caroli nup R [1632], let to Gabriel Hesketh, of Goosnargh, gent., one water corn mill in Chippinge, to have and to hold for the lives of Ann, the said Gabriel's wife, Gabriel and Elizabeth, son and daughter of the said Gabriel, and Richard Sherburne, of Stonihurst, co: Lanc., Esq., by his assignment dated 20 October, 18 Caroli nup R [1642], assigned a parcel of mosse or mossie ground called Blackmosse to the said

Gabriel, to have and to hold for a term of eight years then next following under a rack rent of £6 per year, all which had become sequestered for the delinquency of the said Gabrell, and was then under sequestration, notwithstanding the three lives were dead and the lease of eight years determined, and the premises of right should have descended to petitioner, who had really purchased the same from the said Richard Sherborne, who, antecedent to the then late wars, had purchased the premises from James, Earl of Derby. Petitioner could not enjoy the premises on account of the sequestration, he therefore prayed their honours to order the Commissioners for Sequestrations for Lancashire to discharge the premises from sequestration so that he might have and enjoy the same to his own use, as he conceived he of right ought to do. (9 April, 1651.)
 "ord : g :"

(First Series, Vol. lxxi., No. 2,244, fol. 214.)

fo. 214. Petition from William Winkley, of Winckley, gent., which shewed that one Gabriel Hesketh being indebted to petitioner and divers others in several sums of money, to pay the same he assigned to John Singleton and another two messuages and tenements in Chipping, by deed dated 1 March, 1641[-2] ; that the profits of the premises had been devoted to the objects intended, and that it had never been in the possession of Hesketh, except upon yearly rack rent, and that only for a short period ; that many of the debts were unpaid, and that the Lancashire Commissioners had "secured" the said messuages. Petitioner therefore prayed for an examination of his title, he having been in possession for a debt due to one John Craven, of Billington, a trustee of petitioner's (25 February, 1651[-2]). Prayer granted.

fo. 223. Petition (20 May, 1652).

(First Series, Vol. xxxiii., No. —, fols. 69, &c.)

fo. 69. Report, dated 26 July, 1654, by Mr. Reading based upon an order of 9 April, 1651, upon the petition of

Thomas Hesketh, of Heslington, co : York, Esq., desiring that one corn mill in Chipping, in the county of Lancaster, and a parcel of mosse in the said county sequestered for the delinquency of Gabriel Hesketh, might be discharged from sequestration. He found that James, Lord Strange, son and heir apparent of William, then Earl of Derby, by indenture dated the 10th of August, 1632, in consideration of £40, demised to Gabriel Hesketh and his assigns for the lives of Ann, wife of the said Gabriel, and of Gabriel Hesketh and Elizabeth Hesketh, son and daughter of the said Gabriel, all that mill with the appurtenances in Chipping, in the county of Lancaster, called by the name of the "litle Milne," and all the "Towle," "Soken," and "Moulter," thereof, together with the kiln and wastes thereunto belonging, and also one Mosse roome to be set out by the Bayliffes to the said Lord Strange, of Goosenargh and Chipping, in and upon Blacke Mosse, in Chipping aforesaid, and likewise sufficient timber growing and to be growing in and upon the grounds of the tenants of the said Lord Strange in Goosenargh and Chipping for the necessary reparation of the said mill and kiln at all times during the term aforesaid, and likewise all profits and advantages whatsoever to the premises belonging or appertaining, to have and to hold to the said Gabriel Hesketh and his assigns for the natural lives of Ann, his wife, and of Gabriel and Elizabeth, his son and daughter, and the longest liver of them, under the yearly rent of 40s., and appointed Richard Thorneley and John Browne, his attorneys, or either of them, to enter and make livery. And he found endorsed on the said indenture that the said Richard Thorneley, the 17 August, 1633, did enter into the mill in the name of the whole, and delivered quiet possession to the said Gabriel Hesketh according to the said letters of attorney as by the said indenture (produced) appeared.

It was deposed by Richard Singleton, gent., sworn before the Commissioners in Lancashire, that he was present when Richard Thorneley did, upon the 17th of

August in the ninth year of King Charles, enter into the said mill in Chipping, and deliver the said Gabriel Hesketh possession and seisin thereof according to the said indenture of lease, and that his name endorsed on the indenture as a witness was in his own proper handwriting, and he further deposed that he knew Ann, wife of the said Gabriel Hesketh, and Gabriel Hesketh and Elizabeth Hesketh, son and daughter of the said Gabriel, who were the three lives mentioned in the said indenture, and that all the said lives were then dead.

Richard Kinge, of Preston, in the county of Lancaster, gent., deposed that he knew the manors of Chipping and Goosenargh, late then in the possession of James, Earl of Derby, and he had heard and verily believed that the said James, Earl of Derby, did in the year 1641, for valuable considerations, sell to Hugh Cowper, James Walmesley, Thomas Wilson, and James Whittaker the said manors, which sale he verily believed to be real and bona fide, in regard the said purchasers or some of them to his knowledge had subsequent to that time set, let, and leased, or otherwise disposed of, several parcels of the said manors of Chipping to several persons, and that the lands and mill claimed by Thomas Hesketh, of Heslington, he believed to be part of the said manor called by the name of the Manor of Chipping, and deponent had seen several certain writings concerning the sale of the said manors, and deponent repaired to Mr. Hugh Cowper, one of the purchasers, to desire him to produce the said writings on the said Mr. Hesketh's behalf, who told him that he would be willing to do it but at that time they were in the custody of one Mr. Marshall, who had them to produce on behalf of Mrs. Walmesley, widow and relict of James Walmesley aforesaid. He found that the said Hugh Cooper, James Walmesley, Thomas Wilson, and James Whittaker, by their indenture dated 2nd of September, 1642, in consideration of £250, granted and sold (among other things) to Richard Sherbourne, of Wigglesworth, in the county of York, Esq., the said water corn mill, with the profits there-

unto belonging, and a parcel of mosse ground called the Blacke Mosse, and all those closes, closures, new or late improved grounds, lately improved or inclosed of and from the Blacke Mosse, then or lately then in the occupation of Roger Dillworth, James Harrison, John Rodes, Anne, the late wife of Stephen Helme, and William Helme, John Sherbourne, William Wawne, and James Bradley, being of the yearly rent of 20s., all which said mosse and improved grounds do contain 116 acres of ground or thereabouts, lying and being in Chipping in the said county, except one lease therefore made of the said water corn mill to the said Gabriel Hesketh for one life then in being, and the reversion and reversions, remainder and remainders of the said water corn mill, and all and singular the premises, to have and to hold the said water corn mill and all and singular the said premises, except before excepted, to the said Richard Sherbourne, his heirs and assigns for ever, to the only use and behoof of the said Richard Sherbourne, his heirs and assigns for ever, as by the said indenture produced appeared, the sealing and delivery of which was proved by Richard Singleton, one of the witnesses endorsed, to be on or within one week of the date thereof.

And the said Hugh Cooper deposed that he, with James Walmesley, Thomas Wilson, and James Whittaker, did by the said indenture bargain and sell unto the said Richard Sherbourne and his heirs the said water corn mill, then or lately then in the possession of the said Gabriel Hesketh, and also the land called Blacke Mosse which they had formerly purchased from James, Earl of Derby, and that the premises at the time of sale were in the tenure of the said Gabriel Hesketh. Richard Singleton being further examined, among other things said he knew that the mill and land were parcel of the manor of Chipping, and were with the manor of Goosenargh purchased from or contracted for before Martinmas, 1641; he the better knew that, for he formerly had been an officer to the said Earl and did collect the rents of Chipping aforesaid to the use of the

said Earl, and at Martinmas, 1641, he collected them for the use of Hugh Cooper and the others above-mentioned, and though he was not present at the sealing of the conveyance, yet he was present when one George Marshall, gent., for the use of Hugh Cooper and the others, did contract with divers of the tenants of the said manors for purchase of several of their farms, and that the said water corn mill, &c., was then contracted for, and in or about July or August then next following conveyance thereof sealed and perfected by the said Hugh Cooper and the others to, or to the use of, Richard Sherbourne of Stonyhurst in the said county, Esq.

Richard Yate, of Goosenargh, yeoman, confirmed the preceding deponent, and that on completion of the purchase he had been authorised to gather the rents for the purchaser.

He also found that Richard Sherbourne, by indenture dated 20 October, 1642, in consideration of the yearly rent of £6 thereby reserved, demised to the said Gabriel Hesketh all that parcel called the Blacke Mosse, containing by estimation 50 acres, with all profits, commodities, moss dales, or moss rents thereunto belonging or due from or in respect of the herbage of the said Blacke Mosse in any wise, all which said premises were among other things then lately purchased by the said Richard Sherburne of and from the said Hugh Cooper and the others, to have and to hold from the date thereof for the term of eight years then next ensuing under the yearly rent of £6.

George Ramsbotham, yeoman, who was present when the said Richard Sherbourne sealed and delivered unto Gabriel Hesketh the said indenture, put his name thereto as a witness.

And the said Richard Sherbourne covenanted with petitioner, by indenture dated 31 March, 1648, and in consideration of £300, that he and his heirs would before the Feast of St. Michael the Archangel then next ensuing by fine or fines to be had in due form of law, recovery or recoveries with voucher or vouchers "ouer" feoffment or feoffments, deed or deeds, enrolled or otherwise and by

every or either of them, or by such other good and sufficient means, conveyances, and assurances in the law, convey all that water corn mill, &c., to petitioner, his heirs and assigns for ever, except the before excepted. This deed was produced and proved by Robert Chow, one of the witnesses endorsed, who deposed that he saw the consideration £300 paid and the execution of the indenture.

Thomas Whalley, gent., confirmed this.

All these examinations were certified by the Lancashire Commissioners, and certificates were furnished by Mr Auditor, Mr Bayly, and Mr ffowle, so it was submitted to judgment whether the sequestration of the premises should not be discharged unless it appeared that the said Gabriel Hesketh had some other estate therein than the lease of the mill for three lives, which were dead, and the lease of the Blacke Mosse, which had expired in 1650.

fo. 87. Certificate, signed by Jo: Leech, exhibiting what proceedings were in his custody relative to the petition of Thomas Hesketh, of Heslington, Esq. (21 May, 1653).

fo. 90. Communication, dated at Preston 1 July, 1651, signed by Peter Holt, Robert Cunliffe, and G. Pigot, mentioning what steps they had taken, enclosing copies of the examinations and other matters connected with the case.

ff. 91-94. Examinations taken at Preston 8th, 9th, and 30th May, 1651; witnesses, Richard Singleton, of Chipping, gent., George Ramsbotham, of Paradice in Aughton, yeoman, Hugh Cowper, of Ormiskerke, gent., and Robert Chew, of Rotterford, gent.

fo. 95. Reference to the Lancashire Commissioners (9 April, 1651).

ff. 97-98. Petition (same date).

fo. 100. Communication, dated at Preston 11 February, 1651[-2], referring to theirs of July 9 preceeding, and enclosing copies of examinations of witnesses, signed by Robt. Cunliffe, G. Pigott.

fo. 101. Examination of Robert Chew, of Rotterford, gent., Richard Singleton, and George Ramsbotham, of

Paradise, co. Lancaster, sworn at Blackburn 2 February, 1651[-2];

fo. 105. of Richard Kinge, of Preston, sworn 26 July, 1654, before "R. W.," one of the Commissioners in London.

fo. 108. Communication, dated at Wigan 22 May, 1654, signed by E. Aspinwall and Ro. Massey, referring to former proceedings, and mentioning that they had, in pursuance of an order, taken further examinations, and enclosing copies.

fo. 109. Interrogatories administered on behalf of Thomas Hesketh, Esq., to Thomas Whalley, of Rushton co. Lancaster, gent., Robert Chew, of Rotterford, co. Lancaster, gent., and Richard Yate, of Goosenargh, yeoman. Sworn at Preston, 17 January, 1653[-4], and Ormiskirke, 27 April, 1654.

fo. 113. Certificate that Gabriel Hesketh was sequestered for recusancy and delinquency, and mentioning the rental of his estate, amount received by the Commissioners, and arrears, signed by Ric. Sherwyn, Aud^r (July 13, 1653).

fo. 116. Similar certificate as to search as regards Thomas Hesketh, and that his name did not appear among the delinquents or recusants. Signed Tho. ffowle (26 July, 1654).

fo. 117. Petition (16 February, 1653[-4]).

Katherine Hesketh,¹ Relict of Thomas Hesketh, of Rushforth, Esq.

(Second Series, Vol. liv., No. 3,577, fols. 35, &c.)

fo. 35. It appeared, by a particular delivered, that she was seized for life of a yearly rent charge of £40, issuing

¹ She was his third wife, and daughter of Alexander Briers, or Breres, described in Dugdale's *Visitation* as "of Lathom," but in these papers (see Vol. i., p. 234) as "of Marton, gentleman." Thomas Hesketh was eldest son and heir of Robert Hesketh by his wife Mary, daughter and heir of Sir George Stanley, knt., and died without issue A.D. 1646.

out of the manor and demesnes of Rushforth, for two parts whereof, being £26. 13s. 4d., she desired to contract according to the Act of 22 October, 1653, "To pay upon the Contract £106. 13s. 4d."

fo. 37. Petition.

fo. 40. Extract from the accounts of the Lancashire Committee.

fo. 41. Particular.

fo. 43. Order of reference (15 December, 1653).

(First Series, Vol. xxxiii., No. 1,029, fol. 150.)

fo. 150. Petition, which shewed that she, being a recusant whose estate was comprehended in an Act for disposing of two parts of sequestered or forfeited estates of recusants, prayed for an order to be allowed to contract for the said two parts, according to a particular annexed (7 December, 1653). Referred to Mr. Reading to report.

Richard Hesketh, of Tarnicker, Gent.

(First Series, Vol. xxxiii., No. 1,029, fols. 152, &c.)

fo. 152. Petition, which shewed that two third parts of his estate were under sequestration for recusancy only, and he being desirous, in accordance with the Act of 21 October, 1653, to contract for the same, prayed to be admitted in the usual form, and to have a proportionable abatement made to him for all incumbrances (5 January, 1653[-4]). Referred to Mr. Reading to report.

(First Series, Vol. xxxiii., No. 1,029, fols. 50, &c.)

fo. 50. Report by Mr. Reading (16 June, 1653) upon an order of the 5 January, 1653[-4], upon the petition of the above, desiring to contract for two third parts of his

estate, then under sequestration for his recusancy, according to the Act of 21 October, 1653. He found that petitioner was seized of several closes of land, meadow, and pasture in Tarnicker (particularly named in his particular), of the yearly value of £18.

fo. 52. Order of reference of the above to Mr. Reading, dated 5 January, 1653[-4].

fo. 53. Particular, in which the land is described as the "Moore Breckefield, y^e lower Moore Breckefield, the Leyfield, the Rushye Millfeild, the Wheathey, called Millhey, the Brackerfeild, the little Brickhill, the Barnefeild, the little Brickhill [*sic*], the Tempe Croft, the Mossefeild, the new close, Springhould meadow, the Mosse Meadow, the great Brickhill feild, and the Marled Hey lying in Tarnicker."

fo. 55. Petition (copy), (6 June, 1653).

Roger Hesketh, of Upper Rawcliffe-cum-Tarnicker.

(First Series, Vol. xxxiv., No. 1,092, fol. 891, &c.)

fo. 891. Report by Mr. Reading, dated 22 May, 1655, based upon an order of the 6 June, 1654, on a petition of Luke Hodgkinson, of Preston, in Amondernes, gent., desiring that two third parts of a messuage and tenement in Up Rawcliffe-cum-Tarniker, with several lands thereunto belonging, sequestered for the recusancy of Roger Hesketh, then deceased, might be discharged. He found that Richard Hesketh, of Tarniker, gent., by his indenture, dated 1st May, 1654, in consideration of £160, demised to petitioner all that messuage and lands lying in Up Rawcliffe-cum-Tarniker, containing about 50 acres of land, then, or lately then, in the occupation of the said Richard Hesketh, his assignee or assignees, for the term of 99 years, under the yearly rental of a peppercorn.

Thomas Walton, gent., sworn before the Lancashire Commissioners, 23 November, 1654, deposed that Richard

Hesketh was son and heir of Roger Hesketh, then deceased, late of Tarniker, who died about the 24 July, 1649, and was buried the 25th of the same month, at the parish church of St. Michaelles-upon-Wyer, at whose burial deponent was present. That he was by and present at the sealing and delivery of the said indenture of lease, and endorsed his name on the back thereof as a witness. In cross-examination on behalf of the Commonwealth, he deposed that he knew of no conviction for recusancy against either the petitioner or the said Richard Hesketh and the said indenture witnessed by him was solely made to the use of the petitioner as was in and by the said indenture expressed, and further said that he was present when the £160 was paid. Richard Gradell, husbandman, sworn, confirmed the preceding witness. Luke Hodgkinson, petitioner, confirmed preceding witnesses, and further said that he had not released or otherwise freed or discharged his interest and title in and to the said messuage, and that he knew nothing in law or equity which should debar him from the possession of the premises, but, on the contrary, said he ought to enjoy the same for the terms granted. The usual certificates were produced. Mr. Auditor Brown certified that the Lancashire Commissioners for Sequestrations in their accounts exhibited 3 July, 1654, being the accounts for the year ended 24 March, 1653[-4], mentioned the estate of Roger Hesketh, of Tarniker, a Papist, as being let to several persons for the yearly rent of £16. 13s. 4d. Two third parts of his lands in Clayghton to Richard Hesketh, £4. 13s. 4d. Two thirds of the other lands in Tarniker to Mr. Thomas Walton for £12.

fo. 893. Mr. Williams certified that on a search in the Books of Convictions and Seizures of Recusants, then in his custody, he could not find any Luke Hodgkinson, of Preston, in Amondernesse, or any Richard Hesketh of Tarniker, or elsewhere in the county of Lancaster, or in London or Middlesex, to have been convicted or seized for recusancy.

It did not appear to Mr. Reading what estate Roger Hesketh, then deceased, had in the premises, whether he had an estate for life only, the reversion in William Hesketh, convicted in the Additional Act for sale, or to some other papist or delinquent. It did not to him appear that Richard Hesketh, the lessor of the estate to petitioner, had the land by descent from his father, or that he ever had the possession of the third part thereof after his father's death, nor whether the petitioner did *bond-fide* pay the £160 consideration money, or whether the deed were not made in trust for the use of the said Richard or some other.

fo. 895. Reference to the Lancashire Commissioners.

fo. 897. Petition (16 June, 1654).

fo. 899. Communication, dated at Ormskirke 24 November, 1654, signed by E. Aspinwall and Ro. Massey, enclosing examinations, and mentioning that two thirds of the estate had been sequestered for the recusancy of Roger Hesketh, and then continued.

fo. 901. Interrogations on behalf of petitioner.

fo. 902. Examinations of Luke Hodgkinson, of Thomas Walton, of Walton, gent., and of Richard Gradell, of Tarniker, husbandman.

fo. 904. Interrogatories submitted on behalf of the Commonwealth to Luke Hodgkinson and Richard Gradell.

fo. 909. Certificate exhibiting the annual rental. Signed by Tho. Brown.

fo. 912. Certificate as to being convicted or otherwise of recusancy.

fo. 914. Similar certificate.

fo. 915. Certificate as to what proceedings had been taken in the case.

fo. 922. Petition, 6 June, 1654. "Com^{rs} to ex: Report, & Ref. to Mr. Reading."

Robert Hesketh, of Goosenargh, Gent.¹

(First Series, Vol. xxxiii., No. 1,029, fols. 155, &c.)

fo. 155. Petition, which disclosed that he had been admitted tenant, for seven years, to the estate of Gabriel Hesketh, of Goosenargh, gent., by the Commissioners of the County of Lancaster. He prayed now for a confirmation of the arrangement (14 July, 1653). "The contract is confirmed soe far as proceeded according to the Act and our Instructions." R. W.

fo. 162. Petition, referring to the same subject (7 April, 1653).

ROBERT HESKETH, OF PRESTON, ESQ.

(First Series, Vol. xxxiii., No. —, fol. 170.)

fo. 170. Petition, by which it appeared that, by an order from the Committee of Lords and Commons, dated 7 July, 1647, he had been admitted tenant of a demesne house called Martholme Hall, and as the house was in great decay and much of it fallen, the said Committee by another order, dated 17 November, 1647, ordered that such monies as were disbursed in repairs should be allowed out of the rent payable by petitioner, and in pursuance of the said orders the Committee in the county allowed petitioner's accounts for the years 1648 and 1649, and petitioner further shewed that in December then last he, as formerly, tendered his accounts to the Commissioners in the country, who, notwithstanding the orders, refused to allow them. He therefore prayed for an order directing the Lancashire

¹ Robert Hesketh, of Goosenargh, gent., and Robert Hesketh, of Preston, Esq., are probably the same. Robert Hesketh, of Preston, appears in Dugdale's *Visitation* as the second son of Gabriel Hesketh, of Whitehill, who married Anne, daughter of Robert Simpson, of Barker (see p. 186). His will was proved at Richmond in 1671.

Commissioners to take his accounts upon oath and certify them to the Commissioners above (12 June, 1651). "That the Commis̄rs take over the said account and transmit it thither. E. W. F. B."

Robert Hesketh, of Dunderdalle in Jffourneis.¹

(First Series, Vol. xxxiii., No. —, fol. 182, &c.)

fo. 182. Petition from Mary, wife of Robert Hesketh, of Dunderdale in Furness, which shewed that she had procured an order for her fifth part from the then formed Committee of Lancashire, which the new Commissioners disobeyed, until a confirmation of the order was obtained from the Commissioners above. As "she was readie to starve for subsistence," she prayed that they would be pleased to consider her condition and to confirm the order (27 September, 1650). "A fifth part allowed according to Instruc̄ons."

fo. 184. Order of the Lancashire Commissioners made at a meeting of the Commissioners held at Manchester 31 January, 1649[-50], ordering a fifth part of her husband's sequestered estate to be allowed to her towards her maintenance. In the same order the Sequestration Agent was directed to view the decayed buildings and mill at Dunderdalle, and to certify what the charge for repairs would be at the next sitting for Lonsdale hundred. Signed by Peter Egerton, Edw. Butterworth, Nicholas Cunliffe "Int^r p Tho. Whalley."

fo. 198. Petition from Cuthbert Hesketh, of Kenwicke. co: Salop, which shewed that petitioner's brother, Robt, Hesketh, of Dunderdale, co. Lanc., being a papist delinquent, his estate, worth about £30 a year, has been seques-

¹ Robert Hesketh, of Dunderdale, was the illegitimate son of Robert Hesketh, of Rufford, Esq., by Jane, daughter of Thomas Spencer. See note, p. 207.

tered for eight years then last past (1652), and the whole of the profits had been employed to the use of the State, whereupon his wife petitioned for a fifth part, and obtained an order for the same, 27 September, 1650; but the Commissioners for Sequestration where the estate lay refused to obey the order, being, as they alleged, contrary to their instructions, because his said wife was married after his estate was sequestered, so that she was thus unable to provide a subsistence for her son, Robt. Hesketh, he being then about a year and a half old, and both she and the infant were ready to starve. He prayed, therefore, that if their honours would not relieve the said Mary Hesketh, yet they would be pleased not to permit the infant to be starved, he having in no way offended the State, but would for his subsistence allow him a 5th part of his father's estate, and petitioner, who had borne arms for the Parliament and was conformable, would take care that his education should be answerable to the Acts, Orders, and Ordinances of Parliament (23 June, 1652).

"A copy of this petⁿ to be sent downe."

"If marryed before the date of the Act 25 Jan: 1649 [-50] prooffe thereof we will giue further ord^r."

fo. 199. Petition, which shewed that on the above petition an order was granted that if the Lancashire Commissioners found that the wife of Robert Hesketh had been married to him before the date of the Act above, a further order would be granted. It appeared the Lancashire Commissioners had taken the wife's examination upon oath, and by their certificate it appeared she had been married in London, on the 18th of June, 1649, and William Dicconson, gent., Katherin Louet, and Elizabeth Louet, all (at time of petition) resident in London, were present at the marriage, and, if need required, in a day's warning petitioner would produce them to testify to the same. He therefore prayed for a fifth of the said estate and the arrears from 24 June, 1659 [but evidently an error for 1649], according to the order granted 27 September, 1650. (6 October, 1652.)

"The Commissioners to allow £3 a yeare, to begin at Lady-day (then) last."

fo. 201. Communication, dated at Preston 25 July, 1652, signed by Robert Cunliffe, and G. Pigot, mentioning that they had been required to peruse the petition and to examine the matter, and then to certify what they knew, mentioning also former instructions, namely, that by the 47th Instruction the Lancashire Commissioners were to enquire when a wife claimed a fifth whether she were married after the delinquency had been committed, and they, finding that she had been married long after, stayed the allowance, but in obedience to the last order they had taken the wife's examination, which they enclosed, mentioning that the witnesses who were present at the ceremony resided in London.

fo. 204. Affidavit of Mary, wife of Robert Hesketh, as to the date of her marriage, and who were present. Sworn before Edw. Aspinwall and Geo. Pigott, 30 July, 1652.

(First Series, Vol. xxxiii., No. 1,029, fol. 48.)

fo. 48. Petition, which shewed that petitioner's husband's estate lying in "ffornasse" had been for eleven years then under sequestration for his delinquency and the whole profits thereof had been received for the use of the Commonwealth, and no allowance had been made for, or any money expended in, the repairing of the houses and buildings thereupon, part whereof had fallen to the ground and the rest was in a state of decay.

Prayed, therefore, that the Commissioners for the County of Lancaster might be ordered by sufficient workmen to view the said houses, and to certify what they should find necessary to put the same into habitable repair, and that thereupon the premises might be repaired accordingly.

4 September, 1655. "The Commissioners to certify as in like cases."

(First Series, Vol. xxxiii., No. 1,029, fols. 63, &c.)

fo. 63. Petition from Cuthbert Hesketh, of Kenwick, in the county of Salop, which shewed that petitioner's brother, Robert Hesketh, being a papist delinquent, his estate, lying in Dunderdale and Seathwaite, in the county of Lancaster, for eleven years then past had been wholly under sequestration, an allowance of £3 a year only being allowed out of the same to the wife of the said Robert Hesketh, by an order of the Commissioners above, dated 6 October, 1652, for the maintenance of her and three small children. Part of the said estate was leased to one Woodward, by the Commissioners for Sequestrations in Lancashire, for a term of seven years, for £6. 10s. 10d. per annum, there only remaining unlet of the said estate 20*li* per annum of customary rents, to which a court belonged. The estate never having been let at a greater value during the sequestration (as appeared by the auditor's certificate annexed to the petition) petitioner, who had borne arms for, and to the utmost of his power had been assisting, the Commonwealth, humbly prayed that the Commissioners above would grant him, on behalf of the wife and children, a lease of the said rents for one year from the 30 September then next, with power to keep a Court, and what casualties should thereby happen he would expend upon reparations of the dwelling houses, the same being very ruinous and much out of repair, not having been repaired since the time of the sequestration.

(September 19, 1654.) "Com^{rs} to cert : value, & there-upon further ord^r."

fo. 65. Copy of the above petition (same date). At foot : "19 Sep^r '54. Ord : y^t o^r Steward doe keepe court & graunt estates to best advantage of State & that due course be taken to put the house into Teñtable repaire.

p M^R. MARTYN."

fo. 66. Copy of statement, shewing sums of money, amounting in the aggregate to £91. 13s. 6d. over and

above £6. 10s. od., paid Mrs. Hesketh and the Minister of Seathewight.

(First Series, Vol. xlvii., No. —, fols. 617, &c.)

fo. 617. Petition from Richard Nelson, of Maudesley, for an allowance towards the repairs of the house of Robert Hesketh, of Dunderdale. An order had been sent down, dated 19 May, 1652, addressed to the Lancashire Commissioners, to view the premises, which had been done by Mr. Cunliffe, who reported that the house was not in such a bad condition as had been represented by petitioner. He now asked for the appointment of four or more honest and sufficient men to view the premises. The Commissioners to make an allowance to him, according to their oaths, for repairs and for glazing the windows (15 September, 1652). "We think not fitt to giue any answer herein we being fully satisfied in the case by the Commissioners in the Country."

fo. 619. Communication from the Lancashire Commissioners upon the subject, which discloses that petitioner was brother-in-law of Robert Hesketh, of Dunderdale, for whose recusancy the property had been sequestered, and that there was not much the matter with the building, that it was as good then as before it was sequestrated, and that they intended to make the then tenant of it under them keep it in as good repair as he found it.

fo. 621. The preceding petition (19 May, 1652).

Robert Hesketh, of Rufforth, Gent.¹

(Second Series, Vol. 1., No. 3,262, fols. 219, &c.)

fo. 219. Delinquency, adhering to and assisting the forces raised against the Parliament. He petitioned, 20 April, 1649, and compounded upon a particular which disclosed that

¹ Son of Robert Hesketh, of Rufford, Esq., and Margaret, daughter of Alexander Standish, of Standish, Esq. He died before his father 10 Sept., 1651

he was seized for term of the lives of John Deslay and Hugh Hesketh, gent., of a certain tenement called Butler's tenement, in the parish of Croston, which was then "in suit" between compounder and Jennett Worthington, widow, and the title was to be tried at the summer assizes at Lancaster. He prayed a saving to compound till he should have recovered it, worth yearly £6. 13s. 4d. That he was seized for life of and in a cottage in Rusforth called the Spring, worth yearly £1 5s. 0d., also of a rent charge for his life (issuing out of certain tenements in Longton) given to him by the will of his worth of £3. 6s. 8d. yearly. Fine £6. 17s. 6d. (4 May, 1649).

fo. 222. Petition.

fo. 223. Certificate dated 2 of April 1 . . . signed by — Eccleston and Tho. Jackson, two of the Sequestration Agents of Lancashire, that they had set four fifth parts of the above tenements for that year at £6, being the utmost that would be given for the same.

fo. 227. Particular, in which compounder claims a deduction of £60, which he stood indebted for by bond.

fo. 226. Deposition of compounder, dated 12 April, 1649, declaring that he was not worth in real and personal property £200.

fo. 219. Report by Mr. Reading, based upon an order of 14 November, 1651, in which, after referring to the composition of £6. 17s. 6d. above, he stated that compounder alleged that about May, 1650, his uncle, George Hesketh, being no delinquent, died, seized of an estate in tail of a messuage and lands lying in the parish of Clitheroe, which estate by his death (the entail not having been cut off by him in his lifetime) is come unto him as the next in remainder, and enjoyed by him until then lately, but that the Commissioners for Sequestration had recently seized it, he not having compounded for it. He, though conceiving the estate ought not to be compounded for, to avoid further trouble and charge, desired to be admitted to compound for the same on a particular, by which it appeared that, by the death of his uncle, he became seized of a messuage called

the Allies, in Clitheroe, worth (beyond the rent paid to the State) the sum of £6. 13s. 4d. yearly. That he was also seized of a like estate of several small old rents of several ruined cottages in Clitheroe, of the yearly value of £1. 10s. 0d., and that after the death of Jane, widow of the said George Hesketh, compounder would be seized of a like estate of some other part of the demesne lands called the Allies, in Clitheroe, worth yearly £3. 6s. 8d., and some old rents worth 15s. yearly.

fo. 232. Certificate, declaring that upon search of the Books of Information to the late Committee and now Commissioners for advance of money, no information or charge was found against Robert Hesketh, of Rufford, or George Hesketh, or any estate belonging to them, concerning delinquency, recusancy, omission, or under-valuation (no date).

fo. 234. Petition.

fo. 236. Particular.

fo. 238. Affidavit of Robert Hesketh, of Rufforth, gent., declaring that Jeane Hesketh, widow of George Hesketh, was living three weeks then since (20 November, 1651). Fine £39. 1s. 3d. (2 December, 1651). "30 March 1652, confirmed £39. 12. 6. To be enquired if paid & if it be paid then to send to him for the 11^s 3^d."

(First Series, Vol. xxxiii., No. —, fols. 163, &c.)

fo. 163. "Whereas I am desired by Mr. William Dicconson to certify y^e seu^lall pceedings & what I finde touching y^e seqⁿ of Rob^t Hesketh of Rufforth in the County of Lanc^r gent.

"These may certify all psons whom it concernes y^t upon search made in the books & pap^{rs} of the late & p^rs^ent Co^{rs} for Comp^{ing} I finde y^t he formerly compounded wth the late Com^{tee} & p^rs^ent Com^{rs} for Comp^{ing} as may appeare by these pceedings followinge—That is to say.

The p^ticular of his composi^{cion} No 3262

A rep^t upon his Compⁿ 4^o May 1648

Anoth^r rept 25 Nov 1651

A Certif^t und^r my hand of the Compⁿ 11^o Jany
Instant I finde these seūall pceedings suite his Comp^{ns}
. . . in refer: to a clayme made by him out of y^e estate
of the Lady Jane Houghton petit^rs cosen [the edge of the
paper is frayed and the "n" is conjectural].

A peticon 4 Dec^r 1650

An ord^r 4 Dec^r 1650 Entred f 242

A peticon 13 May 1651

An ord^r 13 May 1651 Entred K 116

A peticon 3^o Martij 1651

An ord^r 3^o Martij 1651 Entred Q 87

A ret: frō y^e Com^{rs} in Lanc Dat. 8th of Oct 1652
filed ret: 18 An ord^r 21 Oct 1652 Entered S 348."

fo. 164. "There are seūall proceedings in my hands
touching Robert Hesketh of Northmeales, Robert Hes-
keth of Preston, Robert Hesketh of Dunderdale w^{ch} M^r
Dicconson alledgeth are not ptinent or any wayes depen-
dent upon his case and therefore shall certify only the
proceedings before pticularly mençoned.

"Ex^r 15 Jan: 1652."

(First Series, Vol. xxxiii., No. —, fols. 168, &c.)

fo. 168. Petition, which shewed that petitioner having
the reversion of several lands in the county of Lancaster,
after the death of Jane, Lady Houghton, petitioner's¹ step-

¹ "Grandmother" first written, then erased and "stepmother" inserted,
then "gran" interlined. This Jane, Lady Houghton, was a daughter of
Thomas Spencer, of Rufford, one of the tenants of Robert Hesketh, of Rufford,
Esq., who married her as his third wife. She had previously been married to
Richard Harsnape, but in his lifetime had children (Nicholas, Holcroft, and
Jane) who are stated to have had Robert Hesketh for their father. Robert
Hesketh, of Dunderdale, was their son, born before their marriage, Cuthbert
Hesketh, of Kenwick, co. Salop, being their legitimate issue. Robert Hes-
keth died in 1620 (the *inquisitio post mortem* was taken April, 1623, and is
printed in Record Society's Publications, Vol. xvii., pp. 351, *sqq.*), and after
his death his widow married Sir Richard Houghton, of Houghton Tower, knt.
and bart.

granmother who was seized by it for life only (as her jointure), and the same having sequestered for her papistry and supposed delinquency, the Committee of the House of Lords and Commons, on a petition (the same having been several years sequestered), had ordered that petitioner should be admitted farmer of a manor called Marthholme, and other lands in Harwood and elsewhere in the county of Lancaster, at a yearly rental of £92. 6s. 5d., and the Manor House having fallen into very great decay, part having fallen down for want of repairs during the sequestration, thereupon, on the petition of petitioner, it was, by the said Committee, the 17 November, 1647, ordered that the Lancashire Committee should view the said house, and out of petitioner's rent allow such repairs as should be necessary for what had fallen, and for preventing further decay. Having accordingly been viewed, the disbursements for 1648 and 1649 were allowed petitioner, and Lady Houghton having been cleared of her delinquency upon her appeal to the Barons of the Exchequer, petitioner had agreed with her for her third part, and by virtue and in pursuance of the said order, petitioner was forced, during the year preceding, to expend several sums of money in necessary repairs. He therefore prayed for a confirmation of the order for repairing, and for an allowance of the disbursement for the last year, and that they (the Commissioners) would grant him a 7 years' lease of two thirds of the said manor, &c., at a rental of £61. 10s. 11d., that being the full value and the highest rent ever given for the same (4 December, 1650).

At foot of this document there are three separate orders, the two former have had a pen run through them, and the third directs "The Commissioners to act according to their instruccōns taking care of Covenants etc. That for y^e Arrears y^e Commissioners think not fitt to geve order herein til they understand what is given for y^e Estate."

Robert Hesketh, of Rufforth, Esq. (aged 80 years and above).¹

(First Series, Vol. xxxiii., No. —, fol. 171.)

fo. 171. Petition, which shewed that petitioner, who had been and then was a Justice of the Peace in the county of Lancaster, and ever from the commencement of the wars “a most perfect and firm assistant to the utmost of his abilitie to the Parliament and their iust and honorable undertakeings w^{ch} is very well knowne to all the well affected people in the said Countie yet nevertheless the Commissioners in the said Countrey have secured yo^r peti^{ti}ōner’s estate but not as yet sequestred the same and hoping that it will appeare he is no waies liable thereunto.” He prayed for an order, directed to the Lancashire Commissioners, to examine witnesses for his justification and cross-examine the other, and that he (petitioner) might receive the rents of his estate upon security, “and the rather for that yo^r peti^{ti}ōn^r beinge of the age and integritie aforesaid haueing faithfully acted for the pliamēt may not goe to his graue with such a scandall upon himselfe and his familie.

“3^o Martij 1651[-2]. The Com^{rs} to ex: & certify & to enioy his estate upon security.”

See also **Lady Jane Houghton.**

**Thomas Hesketh, of North Meales, Esq.,
Ellin, his wife, Hugh, Edmond, John,
and Richard Hesketh, sons of the said
Thomas.**

(First Series, Vol. xxxiii., No. 1,029, fols. 153, &c.)

fo. 153. Petition, which mentioned that petitioners’ deed lying in Lancashire, and the witnesses to the said

¹ Father of Robert Hesketh, of Rufford, gent., mentioned in the papers on p. 204. Second son of Robert Hesketh, of Hesketh, Esq., mentioned p. 207, note.

deed being very aged and living near 200 miles distance from London, they prayed for an order to examine the witnesses before the Commissioners in that county (19 July, 1653). "Let the Commissioners examine as is desired."

fo. 173. Petition (5 August, 1652).

fo. 181. Petition (8 April, 1651).

(First Series, Vol. xxxiii., No. —, fols. 156, &c.)

fo. 158. Petition, which shewed that petitioner in April preceding (1653), upon a petition to the Commissioners in London, had their reference to the Sub-Commissioners in Lancashire, to certify the truth of their (the London Commissioners') suggestion in the said petition, and forthwith to certify the same to them, yet notwithstanding petitioner had made several "Address" to his great expense and loss of time in attending the said Commissioners, yet by reason of some difference amongst themselves petitioner could not get them to meet. He prayed, therefore, for a letter to the Lancashire Commissioners to quicken them to send up their report (27 May, 1653). "A lre to y^e Com^{rs} to re-inforce y^e former Order according as is desired."

fo. 156. Petition from Thomas Hesketh, Elin, his wife, Hugh, Edmond, John, and Richard, his sons, which shewed that the said Thomas Hesketh, by deed dated 17 September, 18 Caroli nup Reg^s [1642], for the consideration therein mentioned, conveyed "all his Manors . . . in Coñm Lancast^r cu^l ptineñ" to his son William, then since deceased, and his heirs and assigns, paying forth of the same (amongst other things), one annuity, or rent charge, of £30 per annum to petitioner, Thomas Hesketh, during his life, and to his wife, Elin, the like sum of £30 per annum. To petitioner Hugh £3. 6s. 8d., and to petitioners Edmund, John, and Richard £6. 13s. 4d. each during the life of their father. And the estate being under sequestration for the delinquency of the said William, deceased, petitioners had not received or enjoyed any part of their

said annuities since his death (which happened in 1643). Petitioners therefore prayed that their honours, out of their charitable compassion of their (the petitioners') long endured misery and sad condition, would vouchsafe to grant them an order for payment of their said annuities for the time then past, according to justice and equity.

Petitioners further [in a different handwriting] prayed that the deed might be referred to counsel to state and report. The petitioners all affixed, apparently, their autograph signatures to this petition (April 6, 1653).

"The Commissioners of the County to certifie w^t they know." The case referred to Mr. Reading. "E. W. N. M." (Capt: Eyton.)

Thomas Hesketh, of Rufford, Esq.¹

(First Series, Vol. xxxiii., No. —, fols. 57, &c.)

fo. 57. Petition, which shewed that Jane, Lady Houghton, having an estate for life of divers lands and tenements of Thomas Hesketh, Esq., petitioner's late uncle, in Wrightington, Skevington, and elsewhere in the county of Lancaster, did surrender up all her right and estate therein unto the said Thomas Hesketh long before the then late wars, to enable him to make leases thereof in possession, which he accordingly did, reserving a rent to himself and his heirs. That the said lands and tenements were afterwards allowed, and the rents thereof (among other things) were paid over unto Jane, being sister of the said Thomas Hesketh, in satisfaction of a rent of £20 a year due unto her out of the lands of the said Thomas Hesketh, lying in Wrightington and Shevington, which Jane was then lately dead. That the said Thomas, petitioner's uncle, being then also dead, without issue, the premises came to petitioner, his nephew and heir, who ought to have received

¹ He does not appear in the Rufford pedigree, and I cannot identify him.

the said rents, but was prevented by the Commissioners of the county, under the pretence that the said estate was part of the jointure of the said Lady Houghton, and had been sequestered for her recusancy. He therefore prayed that he might be permitted to receive the rents as he ought to do, and to refer the examination of the case to the Commissioners in the county to certify, &c. (17 July, 1655). Petition granted and referred to Mr. Reading.

fo. 119. Depositions of Robert Mawdesley and (121) Lucy Hesketh, making oath that they never knew or heard of any private or other contract or agreement between the Lady Jane Houghton and Thomas Hesketh, Esq., for any allowance or yearly payment to be made by the said Thomas Hesketh to the said Lady for the surrendering of the land and premises in question, and they both believed the consideration was paid by the tenants before the surrender was made by the said Lady Houghton.

See also *Julyan Threlfall*.

William Hesketh, of North Meols.¹

(First Series, Vol. xxxiii., No. 1,029, fols. 44, &c.)

fo. 44. Petition from Robert Hesketh, of North Meales, gent., which showed that petitioner's elder brother, William, having been in arms against the Parliament, his estate had been sequestered, and he dying without issue, the lands descended to petitioner as next heir, but, the lands being then under sequestration, petitioner could not enjoy the same without compounding for them. He therefore prayed to be admitted to compound according to a particular which he undertook to deliver in. Received 17

¹ Elder son of Thomas Hesketh, of North Meols, baptized 30 September, 1616. He appears in the Preston Guild Roll of 1642, but died soon after, as administration was granted to Ann, his relict, 11 July, 1644.

March, 1649[-50], and referred to the "Subcomite." [The signature at foot of this petition is Thomas Hesketh.]

fo. 46. Particular, exhibiting that he was seized of a moiety of the manor of North Meales, with divers lands thereunto belonging, worth, before the troubles, £110.

fo. 165. Petition from Robert Hesketh, of North Meals, which shewed that in January, 1647[-8], he had petitioned the then (1651) late Committee of Lords and Commons, and set forth his right and title to a moiety of the manor of North Meales and the manor of Pilling, in the county of Lancaster, which had been, and was at date of this petition, under sequestration for the recusancy or pretended delinquency of William, petitioner's brother, and upon that petition he prayed that his title might be taken into consideration, and that the deed of entail of the said lands, being in the custody of Anne Hesketh, relict of the said William, might be produced, whereby the truth of the premises might appear, which petition had been referred by their Lordships to the then (1651) late Committee of the county to examine and certify the true state of the case. As by a copy of the said petition annexed appeared.

The Lancashire Commissioners having taken no steps in the case, though often by petitioner solicited, he now prayed for an order calling upon the Commissioners below to examine and certify petitioner's title, and for the production of the deed by the said Ann Hesketh, or by any others with whom it might be found (13 January, 1651[-2]). Petition granted.

(First Series, Vol. lxxix., No. 2,497, fols. 584, &c.)

fo. 584. Petition from Gilbert Mabbott, gent., guardian to, and on behalf of, Ann, daughter and heir of William Hesketh, gent., deceased, which disclosed that the said William was seized of the moiety of the manor of North Meales and of the manor of Pilling, and all the messuages, &c., belonging to them; he so settled them that he had only a bare life interest in them. That in antecedent pro-

ceedings petitioner's right had been allowed by the Commissioners for Removing of Obstructions, and the documents were then ready to be reported, so he prayed for an order to receive the rents in security until the cause was decided, 25 October, 1653. "Petitioner to receive the rents for six weeks, case to be heard a month to the above day. If petitioner did not produce to the Commissioners below an allowance of his title, the Commissioners were to re-demand the rents and profits so received and proceed to levy the same."

ff. 615-619. Report, 1 November, 1653; after reviewing the points in the case, Mr. Reading submitted that the sequestration should be discharged.

ff. 619-622. Other papers connected with the case.

(First Series, Vol. xxxiii., No.—, fols. 123, &c.)

fo. 123. Report by Mr. Reading (5 June, 1654) based on an order of 22 June, 1652, on a petition of Hugh Hesketh, of North Meales, gent., desiring an allowance of an annuity of £5 a year, issuing and payable to petitioner during the life of Robert Hesketh, his uncle, out of the the manors, lands, and tenements of William Hesketh, a delinquent, in North Meales, Barton near Halsall, and Thistleton, in the county of Lancaster.

He found that, by an indenture, dated the 16 October in the second year of King James (1604), made between Hugh Hesketh, Esq., petitioner's grandfather, and Alice, his wife, of the one part, and Robert Hesketh, one of their younger sons, of the other, reciting that the said Hugh and Alice had by fine conveyed the manors of North Meales, Barton near Halsall, and Thistleton, and the lands, messuages, &c., in the townships, fields, and territories of North Meales, Barton near Halsall, and Thistleton, Cornorrow, and Wiston, to Thomas Hesketh and Richard Asheton, and their heirs, to certain uses contained in an indenture dated in the month of July, 34 Elizabeth [1592] wherein (among other things) is mentioned that it should be lawful

for the said Hugh and Alice, by their last will or by any other deed lawfully executed, to convey out of the said manors, &c., such annuity or annuities unto any or all of their younger sons as to the said Hugh and Alice, or to the survivor of them, should be thought meet, so that the said annuity should not exceed £5, and the same to be granted only for life of such younger sons, and the said Hugh and Alice for the better preferment of the said Robert Hesketh according to the purport of the said fine and indenture granted to him an annuity of £5 to have and to hold for his life.

John Watkinson, one of the witnesses to the indenture, proved the sealing and delivery thereof on or about the day of the date thereof, and further, that Nicholas Bamford, William Watson, and Roger Worthington, three of the witnesses to the deed, were then dead, but he saw them sign their names as witnesses to it.

He also found that by indenture in paper, dated 25 August, 1645, made between Robert Hesketh, gent., of the one part, and Hugh Hesketh, gent., of the other, reciting the aforesaid indenture, the said Robert Hesketh, for good considerations him moving, assigned to petitioner the said annuity. Thomas Hodges, one of the witnesses to the indenture, proved that the said Robert Hesketh was then living, and that the said indenture was sealed and delivered on or about the day of the date thereof; examined further on 21 December, 1653, he said that he knew Robert Hesketh, who was younger brother of Thomas Hesketh, and son of Hugh, then deceased, and that the said [Robert] was living on the 18th of December, but was so old as not to be able to travel above five miles from his place of abode without great danger of life.

Robert Hesketh, of Northmeales, gent., sworn before the Lancashire Commissioners the 26 of August, 1652, deposed to the same effect as to the sealing and delivery.

Robert Hesketh, of Rufford, being, as he (Mr. Reading) supposed, the grantee of the said rent charge, had deposed that he had not released his interest of and in the said

annuity, save that he had assigned the same to his nephew (petitioner), and that he knew nothing either in law or equity whereby petitioner should have been debarred from receiving the said annuity.

James Starkie deposed that he knew Thomas Hesketh, son of Hugh and Alice—who had granted the annuity to Robert, one of their younger sons—and he knew that the said Thomas was entirely reputed and taken to be lord and owner of the said manors, &c., and that William, of North-meales, was son and heir of Thomas Hesketh, who was son and heir to Hugh Hesketh aforesaid, and that Thomas Hesketh, upon a marriage between William, his son, and Ann, the daughter of Thomas Gellibrand, did convey his lands in North Meales and Pilling unto the said William, his son and heir, and he (William) did covenant to pay out of the premises several annuities, among them the £5 to Robert, who was son of Hugh Hesketh aforesaid. In cross-examination, he declared it to be his belief that the said annuity of £5 was due to the said Robert, or his assigns, yearly, and he believed the cause why it had not been paid was that the lands out of which it issued had been sequestered for the delinquency of William Hesketh.

Emm, wife of Edmond Hesketh, deposed to the like effect, and further, that the said William became possessed of the premises and paid the annuities, among them that for £5, until he became a delinquent; she also deposed to knowing Robert, son of Hugh, deceased, and that Robert was then living.

He also found that Wm. Hesketh, Esq., out of whose lands the said £5 was granted, had been inserted in the additional Act for sale of lands forfeited for treason, and that the said annuity had, on the 27 January, 1653[-4], been allowed to petitioner by the Commissioners for Removing Obstructions.

So he submitted to judgment whether the said rent charge of £5 should not be allowed to petitioner during the life of Robert Hesketh.

fo. 129. Order of reference (22 June, 1652) to the Commissioners of Lancashire. (Copy.)

fo. 131. Petition (22 June, 1652).

ff. 133-135. Communication, dated at Preston (22 December, 1653), (copy), signed by E. Aspinwall and Ro. Massey, mentioning that they had taken the examinations of further witnesses, and enclosing copies of their evidence, &c., namely, James Starkie, of North Meales, Emme Hesketh, of Hesketh Banke, wife of Edmond Hesketh, gent., aged thirty years or thereabouts.

ff. 136-8. Interrogatories to be submitted on behalf of the Commonwealth.

fo. 139. Interrogatories to be administered on behalf of Hugh Hesketh, gent.

fo. 141. Examinations and cross-examinations of the preceding witnesses taken 21 December, at Preston, before the said E. Aspinwall and Ro. Massey.

fo. 144. Communication, dated at Preston 6 September, 1652, signed by Robert Cunliffe and G. Pigott, mentioning that they had taken the examinations, and certifying that the lands out of which the annuity issued had been sequestered in 1643 for the popery and delinquency of Mrs. Hesketh, then late of North Meales.

fo. 145. Examination of John Watkinson, of Greetly Hill, in Burscough, yeoman ; Thomas Hodges, of North Meales, yeoman ;

fo. 146. of Robert Hesketh, of North Meales, gent. ; and Robert Hesketh, of Rufford, gent. (sworn 26 August and 7 September, 1652), at Preston.

fo. 147. Petition (18 November, 1653.)

fo. 179. Petition (22 January, 1652[-3]). "Com^{rs} to ex & cert: thereupon further order."

(First Series, Vol. lxi., No. 2, 198, fol. 489.)

fo. 489. Petition from Edmund Werden, of Preston, gent., which disclosed that Thomas Hesketh, of the Meales, owing to petitioner £350, he, petitioner, noticing

that other creditors had obtained judgments against him for the amounts due, to protect himself obtained a lease of Mr. Hesketh's property in Meales and Pillin, and in virtue of the lease had before 1642 received the sum of £300 only. The troubles of the nation ensued, and petitioner had been several times plundered by the enemy for his true and faithful services to the Parliament, and had his said lease, with other writings, taken from him, and was even "outed" of his possession of the said lands by William, son and heir apparent of the said Thomas Hesketh. The lands were subsequently sequestrated for the delinquency of the said William (who was, at the time these proceedings were taken, dead), and the profits allocated to the use of the State, notwithstanding that petitioner had, to the date of petition, regularly paid into the Court of Exchequer the reserved rent.

He therefore prayed that they would afford him the benefit of his said lease then in being, or else afford him full recompense for what had been taken from him out of the said estate (31 December, 1651). Referred to the Commissioners and Mr. Reading.

William Hesketh, of Maynes.

(First Series, Vol. lxxix., No. 2,185, fols. 53, &c.)

fo. 53. Report by Mr. Peter Brereton, dated October 26, 1654, on an order of 8 April, 1654, based on a petition of John Westby, Christopher Parker, Gabriel Hesketh, and Henry Atherton, in behalf of the creditors, daughters and children of William Hesketh, of Meles,¹ co. Lancaster, desiring the discharge of lands in Pooleton, Singleton, Kirkham, Chippin, Goosenargh, Preston, Holmfirth, Plumpton, Newton, Kellamore, Steynall, Lancaster, and Arhan, or elsewhere in the county of Lancaster, sequestered for

¹ This is a mistake for Menes, or Maynes.

the recusancy of the said William Hesketh, then lately deceased. He found that by an indenture dated 10 January, 1653[-4] between the said William Hesketh, of the one part, and petitioners, of the other, that the said William Hesketh, for satisfaction of the sum of £660 mentioned in a schedule annexed to the indenture, owing by the said William Hesketh to several persons (names given), and for raising an augmentation of "filiall" and marriage portions for all the daughters of the said William Hesketh, and Perpetua his wife¹; and, in consideration of 5s., he demised to petitioners all those manors, messuages, &c., lying in the places above mentioned, or any of them, or elsewhere in the county of Lancaster, wherein he had any estate of inheritance for life, lives, or years: either in possession or reversion, all that capital messuage called Menes Hall, with the demesnes and appurtenances, always excepted, to have and to hold to the petitioners from the day of the date of the said indenture for a term of thirty-one years, under a peppercorn rent if demanded. Nevertheless, upon trust and confidence, that the said John Westby, and the other petitioners, and the survivor of them, his executors, administrators, and assigns, do and shall, out of the rents, issues, and profits, pay all sums of money owing by the said William Hesketh to the said several persons in the schedule mentioned, also all lawful charges incurred in the management of the trust, and pay £200 a piece to each of the daughters of the said William Hesketh, at their respective ages of twenty years, or when they married, if the profits in hand be then sufficient; if not, so soon after as practicable. And after the said portions should have been raised, then in trust for the said William Hesketh, his heirs and assigns, during the residue of the term of thirty-one years.

The Commissioners for Lancashire certified that two thirds of the estate in the petition mentioned had been, in 1643, sequestered for the recusancy of Thomas Hesketh,

¹ Daughter of Thomas Westby, of Mowbrick.

Esq., deceased, then late father of William, and so continued (3 June, 1654). They also certified certain examinations taken on behalf of petitioners and the Commonwealth. William Cottam deposed that Thomas Hesketh, Esq., late father of the said William, died, and was buried in October, 1653. That the said William was his only son and heir, and had, subsequent to the death of his father, been in full possession of the unsequestered third, and that he, William Hesketh had seven daughters then living—Anne, Ellen, Perpetua, Doratha, Margaret, Mary, and Elizabeth; that Anne the eldest was about 12 years of age. Anne Hentage, a servant-maid, deposed to the same effect. William Garlick proved the signing and sealing and delivering of the said indenture at or within a fortnight after the date thereof, and that he endorsed his name as a witness, also that William Hesketh, so far as he knew, was not convicted for recusancy, nor did he know of any precedent estate made of the premises. The persons mentioned in the schedule as creditors severally deposed to the sums stated to be respectively due to them; several of the petitioners were also examined. It was deposed that Thomas Hesketh, the elder, of Menes, had been charged for adhering to, and assisting, the King of the Scots, in 1651, and discharged upon hearing, and that Thomas Hesketh, the younger, was charged with the like, and that he died in service against the Parliament, but that no charge had been found recorded against William Hesketh. Other certificates were referred to. It was deposed by Richard King, gentleman, 5 July, 1654, that he knew William Hesketh, of North Meales,¹ in his lifetime, and that he died about nine years then since, having been slain in battle against the Parliament, as he had been credibly informed, which he the father believed, as his widow had subsequently married one Mr. Girlington; he

¹ It is plain that some confusion existed as to which William Hesketh was meant, for there was William Hesketh of Menes, or Maynes, in Poulton parish, and William Hesketh, of North Meols. For a like confusion see the papers of Robert Hesketh, of Rufford, gent., p. 207.

also knew William Hesketh, of Menes, son and heir of Thomas Hesketh, aforesaid, and that he was living within a month of the date he deposed; he also knew that the estate then stood sequestered for the recusancy of the said Thomas, and that William, the son, had never been seized either for recusancy or delinquency. So he submitted to judgment whether the sequestration ought not to be discharged and petitioners allowed quietly to enjoy the premises according to the indenture.

fo. 61. Order referring case to the Lancashire Commissioners.

fo. 63. Petition (copy).

fo. 65. Certificates and affidavit.

fo. 67. Certificate as to proceedings had.

fo. 69. Certificate as to the informations in the books against the Heskeths.

fo. 80. Petition.

fo. 83. Petition.

For John Hesketh see John Halliwell.

Ellis Hey, of Eccles, Gent.

(Second Series, Vol. xxxvi., No. 1,973, fols. 157, &c.)

fo. 157. Delinquency, adhering to and assisting the forces raised against the Parliament.

He compounded on a particular which disclosed that he was seized of a messuage, 74 acres of land, and 20 cottages, lying in Eccles and Boulton, worth yearly £80; also two small tenements and several poore cottages, with 15 acres of land belonging, all being in lease for three lives, at the yearly rent of £1. 10s. 0d. (old rents); also two houses and seven acres of land situate in Bolton in the Moores, "as he saith" for life, worth £20 yearly. Fine £309.

fo. 159. Petition.

fo. 161. Particular.

Peter Heywood, of Heywood, Gent.

(Second Series, Vol. xliii., No. 2,624, fols. 699, &c.)

fo. 699. Delinquency, deserting his habitation, going into the garrisons held against the Parliament, and adhering to those forces ; he petitioned 10 December, 1647. He compounded upon a particular, by which it appeared that he was possessed of a personal estate of the value of £60. Fine £10. (9 August, 1649.)

fo. 701. A receipt, signed "Michel Herring," dated 6 March, 1651-[2], at the Treasury, Goldsmiths' Hall, London, which certified that compounder, on the 10 August, 1649, had paid £10, being the full amount of the first fine imposed upon him, and also that, on the 3rd of March instant, he further paid the sum of £341, being the full amount of an additional fine. Two printed receipts had been given him ; it was alleged they had been lost, and the above was given in lieu.

fo. 703. Petition, in which compounder said that he had an interest in certain lands, after a charge upon them of £900 had been paid, which he had not inserted in his particular ; also that he had a right to a dower belonging to his wife, which, as he had to recover by law, he "held it not worth the cost, and he compounded not for it." Received 21 November, 1650, and referred to Mr. Reading to report upon.

ff. 705-6-7-8. The report, by which it appears that Robert Heywood, compounder's father, by his last will, dated 8 October, 1646, devised the premises to Captain Peter Holt and others, their heirs and assigns for ever, upon trust that they stood seized of a third part to the use of Margaret,¹ wife of the said Robert, for her life and, after the decease of the devisor, of another third part unto the said trustees for eight years, for payment of devisor's debts and for raising £600, *viz.*, £20 for Alice

¹ Daughter and co-heir of John Ashton, of Penketh, Esq.

Heywood,¹ his daughter-in-law ; £20 apiece for his two daughters, Dorothy Lomas,² and Elizabeth Worsley³ ; and £20 for his son John,⁴ to the intent Margaret, his wife, might enjoy all his goods, and the said £600 to be unto his six grand-daughters ; and for the last third part to the use of Alice, his daughter-in-law, for life, or until Dorothy, her daughter, shall accomplish the age of 21 years, " Whether shall fortune longer to continue towards education of her said children." And from the determination of the uses aforesaid, then to the use of Robert Heywood, his grandson, and his heirs males ; in default, to John Heywood, his son and his heirs ; in default, to the right heirs of devisor for ever. Provided that the trustees should stand seized of two houses in Rochdale (particularly named), to the use of his son John, upon his submission to Parliament, until he came to some ecclesiastical preferment in the Church of England of £50 per annum. Provided if his son Peter (compounder) submit to the Parliament and make his peace, then the trustees to stand seized of the premises unto the said Peter Heywood, his heirs and assigns, for ever ; he paying all devisor's debts, and before entry giving security accordingly. Also that Elizabeth Worsley, his daughter's portion be first paid, and, saving the premises limited to his son John, according to the former proviso. Power to the trustees to lease, for one life or 21 years, any of the premises usually leased, and to raise the above sums according to their discretion. To each of them he devised £3. 6s. 8d. for their pains.

Compounder deposed that the said Robert died in March, 1647,⁵ and that certain of the lands and tenements, and a mill, part of the said premises in Rochdale and Bury,

¹ Daughter of John Greenhalgh, of Brandlesome, Esq., Governor of the Isle of Man (whose sequestration papers are given, pp. 107, *sqq. supra*), and widow of Theophilus Holt, of Grislehurst.

² Wife of Oliver Lomas, of Heap.

³ Wife of John Worsley, second son of John Worsley, of Hovingham, co. York.

⁴ Rector of Walton, co. Lanc., from December 1660 to 1671.

⁵ This corrects Dugdale's *Visitation*, in which the date given is 1645.

are of the yearly value of £56. 13s. 4d., that other parts in the same parishes are worth £3. 6s. 8d. That the lands, &c., limited to Margaret for life, were worth yearly £28. 6s. 8d., and the old rent of £1. 13s. 4d.

That the two tenements limited to John were worth £18 a year; that he was living and unpreferred. That Margaret also was living. Compounder craved an allowance of the £600, and the portion of Elizabeth Worsley, deposed by compounder to have been £300, also £36 proper debts of Robert Heywood, then unpaid. He also desired to compound for the dower of his wife, whereof he then had never been possessed of certain lands in the parishes of Rochdale and Steede, formerly the inheritance of Theophilus Holt, her former husband, worth yearly £60. Compounder formerly possessed a lease, under the Duchy Seal, for about eighteen years then yet to come, of the fine, issues, and amerciaments in the county of Lancaster, which he desired a saving to compound when he should have recovered the same. Fine £341. (31 December, 1650.)

fo. 709. Particular.

fo. 712. Petition.

fo. 713. Affidavit of compounder, declaring that Margaret and John Heywood were living, that the latter was no delinquent, that he had had no preferment, that for the past sixteen years he had resided for the most at Oxford, as a scholar, and other matters already mentioned in the report.

fo. 716. Printed receipt, dated March 3, 1651[-2], for £341, amount of fine.

fo. 717. First particular filed by compounder.

(First Series, Vol. xxx., No. —, fols. 357, &c.)

fo. 357. "31 Januarij, 1650[-1]

"It is this day Ordered that the Discharge of Peter Heywood of Heywood in the Co. of Lanc^r Gent. granted by the former Com^{rs} for Composi^{ti}ons dated 10^o die Augusti 1649 be allowed of by this Committee and the p^rsent Com^{rs} for Sequestra^{ti}ons in y^e sayd co of Lanc^r are hereby required to take notice thereof, & observe the

same accordingly pmitting him to enioy the estate menconed in y^e pticular annexed haueing compounded for the same, amounting to the Sume of Threescore pounds." ("copia Int^r")

fo. 371. Petition (24 February, 1651[-2]), shewing that petitioner, having had a conditional right to certain lands (namely making his peace to the Parliament, and paying the debts incumbent upon the same, and not otherwise, which two conditions in case he did not perform, the remainder was given to other persons), and having made his peace with the Parliament, compounded on his own discovery, and had a license to sell land, and was to pay in the moiety of his fine with interest from the 14 January, 1650[-1] to the 2 July, 1651, as by an order of the said 2nd of July appeared, but being opposed by the trustees, he could not sell the land, as they refused to consent to the sale until the "charge for which they were trusted" was paid off, so that for non-payment of the fine the lands became sequestered, and the profits wholly diverted from payment of the said debts, which were then unsatisfied.

At the date of this petition it appears an agreement had been arrived at between the parties concerned as to the manner in which the fine to the Commonwealth and the charge on the land should have been raised and paid. He prayed, as it was no fault of his that the fine had not been paid, for an order that the fine might be received and that the interest might be remitted, as the State had already received double that from the profits of the land.

At foot, affidavit of petitioner sworn same day, before the Commissioners for Compounding, in London.

fo. 372. Reviewing the case (2 July, 1652), the Commissioners in London order that petitioner do forthwith pay in the moiety of the fine with interest, and that the fine be confirmed on the Tuesday next following.

fo. 377. Order, directing petitioner to pay in the moiety of his fine within two days from date, that then he might have liberty to sell a tenement of the yearly value of £30; signed by Sam. Moyer, Edw. Winslow, Wilm. Molins, Ric. Moore (14 May, 1651).

fo. 380. Order, directing petitioner to pay into the Treasury "as a fine Additional" £341, according to a resolution of Parliament made 2 October, 1650 (31 December, 1650).

fo. 381. Petition, mentioning that petitioner's grandfather, then lately deceased, had devised all his lands in Heywood, Steed, and elsewhere in the co. of Lanc., to petitioner, chargeable with petitioner's grandmother's dower and provisions in money for portions for his sisters and payment of debts, which lands stood sequestered for the delinquency of petitioner's father, who had not compounded. Referring to an Act of August 1 of that year, he submitted himself to any order the Commissioners might be pleased to set in that behalf (August 29, 1650). "Rejected."

fo. 377. Petition from Margret Heywood, relict of Robert Heywood, gent., and Olivar Lomax, gent., which shewed that petitioner Margret's husband, dying seized of certain lands in the county of Lancaster, had by his last will charged the same with payment of his debts and legacies to his children and grandchildren, to be raised within eight years from February, 1646[-7], the remainder to Robert Heywood, his grandson, with other remainders, and a proviso that if Peter Heywood should make his peace with the Parliament and pay or secure the said money, then the remainder to him and his heirs. As the debts and sums were not then paid or secured by the said Peter Heywood, petitioners conceived they ought to precede sequestration for any delinquencies of the said Peter, and that no alienation of the said lands ought to have been made; they prayed, therefore, they would suspend the sequestration intended and the damages incident, and (as all parties were agreed) that petitioners (being nearest friends to the children and trustees to the will) might be admitted to compound for the said lands, and to hold the same until they could "imburse" the fine to the Commonwealth and the money charged, and they were ready to pay a moiety of the fine imposed and the other in the December then next following. (No order.) (2 July, 1651.)

fo. 382. Petition (1 May, 1651). Order "that on pay-

ing within 2 days a Moiety with interest from the end of the 14 days & then liberty to sell."

fo. 383. Petition. No date or order.

fo. 384. "The Dower lies in Certaine Lands cald Steed in comitatu Lancas^r of the yearly

Vallue of 40^{li}

He Conceiues hee hath a further right of Dower in other Lands and Tenem^{ts} in Rossendale Whitworth & Ratchdale in Comitatu p^rdict: which he desires a Sauing to Compound for Untill hee can recover the same and know the true yearly Vallue thereof.

(Signed) "PETER HEYWOOD."

fo. 385. "Particular of the Estate of Peter Heywood of Heywood Gent.

"This was the dower of his wife by a former husband	{	He hath a right of the third pte of the Desmesne of Steed & other Lands & tenem ^{ts} in Spotland Whitworth & Ratchdale in the County of Lancaster not Sequestred nor in his possession of the yearly Vallue of £60 0 0
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And hath right to an estate in fee or some other estate of Inheritance in other Lands in the said County w^{ch} stand charged with a Dower of his mother & 900^{li} for porcōns for his sisters and other Legacies & debts before the Compounder can have a legall possession or dispose of any pte thereof to his owne use

worth yearly £100 0 0

(Signed) "PETER HEYWOOD."

**Elizabeth Higham, of Lancaster, Widow,
Relict of Thomas Higham.**

(Second Series, Vol. xliii., No. 2,643, fols. 867, &c.)

fo. 867. In this case the delinquency was in her husband, who was in arms against the Parliament, she, Elizabeth, having always been well-affected. She petitioned 24 July, 1649, and compounded upon a particular, by which it appeared that she was seized of and in a certain messuage and land lying in Terisholme for her life, after to the heirs of her husband by a former wife. The tenement was worth yearly £2. 10s. od. Fine £7. 10s. od. (9 August, 1649.)

fo. 870. Petition.

fo. 871. Particular.

For **Henry Hill** see **Charles Gerard**.

William Hill.

(First Series, Vol. lxxxv., No. 2,980, fol. 258.)

fo. 258. Petition from Mary Roughley, widow, and relict of Henry Roughley, gent., deceased, which disclosed that Richard Roughley, then late of Sutton, father of the said Henry, by his indenture dated 31 December, Anno I Charles I. [1625], for the considerations therein expressed, demised to one Matthew Hill, and his assigns, a parcel of land in Sutton (being the inheritance of the said Richard) for a term of three lives, which were at time of these proceedings all dead, and the premises ought to have been enjoyed by petitioner, it having been settled upon her, but, as two thirds of it were under sequestration for the recusancy of William Hill, one of the lives in the lease, the Lancashire Commissioners declined to discharge the premises without an order from above. She therefore

prayed for the same or an examination of her title (12 June, 1655). Referred to Commissioners below, Mr. Reading to report.

John Hilton, of Leyland, Husbandman.

(First Series, Vol. lxiii., No. 2,021, fol. 96.)

fo. 96. A particular of his estate, which was then under sequestration. It lay in Leyland, 18 acres, and Brindle, 18 acres.

(First Series, Vol. xxxiv., No. 1,047, fol. 70.)

fo. 70. Petition, which shewed that two third parts of petitioner's estate were under sequestration for his recusancy only. He therefore prayed (according to the Act), to be admitted to contract for the said two third parts (29 December, 1653). "Referred to Mr. Reading to report."

(First Series, Vol. —, No. 161, fol. 277.)

fo. 277. Petition from Richard Barrett, of Mawdesley, yeoman, which shewed that John Hilton, of Leyland, for a valuable consideration, conveyed all his estate in Leyland and Brindle to petitioner and his heirs for ever, yet, as two parts out of three were sequestered, petitioner could not enjoy the said estate because it had been sequestered for the recusancy of the said John Hilton. He prayed that he (petitioner) might be admitted to compound for the two parts.

Richard Hinde, of Overton, Yeoman.

(First Series, Vol. xxxiv., No. 1,051, fol. 151.)

fo. 151. Petition, which shewed that petitioner had been well affected towards the Parliament, and had assisted

them to the utmost of his ability. But in the latter war he adhered to and assisted the forces in the North raised against the Parliament, for which his small estate had been sequestered. He prayed to be admitted to a moderate composition for his delinquency. (No date, no order.)

(Second Series, Vol. xxxvii., No. 2,112, fols. 703, &c.)

fo. 703. Delinquency, adhering to and assisting the forces raised against the Parliament in "this latter warre." He compounded upon a particular which disclosed that he was seized for term of life of thirty acres of copyhold lands, lying and being in Overton, worth yearly £17. He stood indebted to several persons in the aggregate sum of £22. 6s. Fine £34.

fo. 706. Petition.

fo. 707. Particular. The persons he owed moneys to were Thomas Walker, £12; Thomas Yeales, £6. 2s.; George Thornton, £2; Mary Westfield, £2. 4s.

John Hodges, of Bretherton, Husbandman.

(First Series, Vol. xxxi., No. 983, fols. 759, &c.)

fo. 759. Petition, which shewed that petitioner stood sequestered by the Committee of Lancashire for adhering to the King's party in the beginning of the wars, whereupon he addressed himself to the committee, and petitioned to obtain the benefit of the "Proposicōns Votes and Ordinances in that case made and provided," namely, that all under £200 value should be exempted from sequestration, "which this Committee graciously granted," producing the same before the Lancashire Committee, they took a note of the same and discharged the sequestration, yet the Lancashire Committee gave orders to re-sequesterate the estate; and petitioner then petitioned the committee above for relief, but they said all must compound.

Therefore he desired to do so, on a particular annexed (15 May, 1649). Fine £19. 10s.

fo. 762. Particular, by which it was disclosed that he held a messuage of 22 acres for two lives, under the Earl of Darby and Henry Banester, of the Banke, Esq., worth £9. 10s. a year, he paying for it 45s. a year ancient rent. He estimated his household goods, cattle, &c., to be worth about £16.

John Hodgkinson, of Cottam, Yeoman.

(First Series, Vol. xxxiv., No. 1,092, fol. 918.)

fo. 918. Petition, which shewed that two third parts of his estate had been sequestered for his recusancy only. He prayed according to the Act to be admitted to contract for the same (13 January, 1653[-4]). "Referred to Mr Reading." "R. W., R. M."

Jane Hodgkinson, of Garstang, Widow.

(First Series, Vol. xxxiv., No. 1,092, fol. 920.)

fo. 920. Petition, similar to the above (17 January 1653[-4]). "Referred to Mr Reading." "R. W., R. M."

Luke Hodgkinson,¹ of Preston, Yeoman.

(Second Series, Vol. xli., No. 2,443, fols. 665, &c.)

fo. 665. Delinquency, adhering to the forces raised against the Parliament in the first war. He petitioned 1 May, 1649, and compounded upon a particular which disclosed that he was seized for life of certain closes of land in Preston, of the yearly value of £4, and that he was seized of a like estate in "a Little horse Milne, with some out-

¹ Petitioner signed Hodgkinson.

houseing" in Preston aforesaid, worth 20s. a year. Fine
£25. (17 June, 1649.)

fo. 668. Petition.

fo. 669. Particular.

Richard Hodgson, of Croston.

(First Series, Vol. lxxxv., No. 3,017, fol. 451, &c.)

fo. 451. Interrogatories administered on his behalf by
virtue of an order from the Commissioners dated 1 August,
1654.

- (1) "Did deponent know William Finch, then late of
Croston, yeoman; when did he die, where
buried?"
- (2) "Whether he knew Margaret Finch, of Croston,
daughter of the said William, and was she
alive?"
- (3) "Did deponent know Ellen, one of the daughters of
William Finch; was she married or not; if yea,
to whom; and was she a recusant or conform-
able?"
- (4) "Did deponent know a messuage in Croston, two
thirds of which was sequestered for the recu-
sancy of Elizabeth Finch, then late of Croston,
deceased? Did deponent not know, believe, or
had he credibly heard that the same ought to
have come to Ellen Finch, then wife of William
Houghton, immediately after the death of the
said Elizabeth, upon payment of £40, according
to an assignment made by William Finch afore-
said?"

ff. 452-457. Examinations for petitioner and the Com-
monwealth taken at Wigan, 25 August, 1654; letter from
the Lancashire Commissioners accompanying the papers,
dated at Preston 24 October, 1654.

See also **Richard Ashton, of Croston, Esq.**, and **Elizabeth Finch**.

Richard Hodgson, of Holme.

(First Series, Vol. xxxiii., No. —, fols. 296, &c.)

fo. 296. Petition from William Hodgson, which disclosed that on a former petition he obtained a grant of two third parts of his brother Richard's estate lying in the county of Lancaster (he being a recusant), at a rent of £12 a year, that he was in possession of the land, but was refused possession of two third parts of the house by his brother, prayed for an order to obtain possession. (No date, no order.)

fo. 297. Letter, dated 4 April, 1655, from the Commissioners above, confirming contract of the Lancashire Commissioners. (Copy.)

(First Series, Vol. xxxiii., No. 1,030, fols. 340, &c.)

fo. 340. "To The honorable the Coñmittee sittinge at Haberdashers' Hall

"The humble petition of William Hodgson

"SHEWETH—

"That yo^r petiçõner lived in Ireland till y^e bloody insurrection began & then was inforced to flye into England for y^e safety of y^e liues of himselfe his wife & children leaueing their lieulyhood & all their fortunes behinde them saue onely some principall goods which yo^r petiçõner gott a shippbōrd and brought with him to Lancashire and left them Twelue myles bejond Preston where they remained in safety for y^e space of Two years till y^e Parliaments forces tooke Lancaster, Preston and Gaston and soe our pty tooke away yo^r petiçõners Goods not knowing that yo^r petiçõner was in the seruice for y^e Parliament at London and yo^r petiçõner also found a man to goe forth with y^e Earle of Essex and his owne sonne beinge 20 years of Aige yo^r petiçõner sent him to sea in the Aduenture ffriggott

against the Dutch & hee continued there till peace was made and since came home very sick and hath been very chargeable to yo^r peti^{ti}ōner, and in all these Grievances neuer reccoued any recompence.

“Now therefore yo^r peti^{ti}ōner humblie beseechet (according to the Grant of M^r Winslow and the rest of this hono^{ble} Com^{tee} on y^e ffirst day of their Sittinge) y^t yo^r peti^{ti}ōner may haue a Lease made him of the sequestred estate of yo^r peti^{ti}ōners brother in Lancashire a Papist y^e Rent beinge 12^{li} a yeare & yo^r peti^{ti}ōner humblie beseecheth there may bee abated unto him some of y^e Rent in considera^{ti}ōn of yo^r peti^{ti}ōners grieivances yo^r pet: being much grieved that others should enioy his ffather’s estate and hee and his sonne & seruants notwithstandinge haue don their partes to y^e utmost of thir powers and yo^r peti^{ti}ōner beeing a Protestant and the next heyre by intayle and desires to dwell there

“and hee shall pray etc.

(Signed) “WILLIAM HODGSON.”

Order, 18 January, 1654[-5]. “The Com^{rs} to let y^e pet^r a lease if he will giue as much as any oth^r will giue for the same.”

fo. 341. Petition by same, dated 5 September, 1654, in which he describes the messuage, &c., as lying in Poulton in the Fields, held by his brother, Richard Hodgson, in fee simple for ever, worth about £13 a year.

He alleged that his brother was a known recusant, and for that reason stood sequestered of two parts out of three, and refused to compound, he therefore prayed that he, petitioner, might be allowed to compound; this petition conditionally that his brother refused, and that petitioner would give as much for it as any other person.

Richard Hodgson, of Poolefoot.

(First Series, Vol. c., No. 4,042, fols. 483, &c.)

fo. 487. Letter, dated at Preston 4 February, 1651[-2], signed by Robt. Cunliffe and G. Pigot, mentioning that in observance of an order of the 27 November made upon the petition of Robert Hoole, of Carlton, and Ellen, his wife, they had taken the examinations enclosed in proof of the matters alleged in the said petition.

fo. 483. Examinations, taken at Preston 4 February, 1651[-2], of Robert Brodbelt, clerk, of Bispham, aged 57 years, who was a witness to the deed which was signed, &c., by John Hodgson, then late of Poolefoote, in the township of Thorneton, and delivered to John Ancher, of Hamleton, and Richard Bretkill, of Holmes, in Thorneton, for fees in trust for and on behalf of several parties therein mentioned. The said John Hodgson died within three months after the execution of the deed, leaving Ellin, his only daughter and child, who afterwards married petitioner; he believed the deed of trust was never made void by Hodgson during his life. A second examination of the above, who drew up an assignment between Hodgson and others.

ff. 484-6. Richard Breckill, of Thorneton in the Holmes, examined, said Hodgson sealed and delivered to him and others a deed of trust, and another paper writing; that shortly after he died, leaving an only daughter Ellin. After the death of John, the land and tenement in the said deed of trust and assignment came to the possession of Richard, his brother, for whose recusancy two thirds of it became sequestred; but afterwards Ellin, the daughter of John, accomplishing the age of fourteen years, and being then to receive out of the said lands £80, and out of the tenement £40, or else to enter upon the land and tenement, and Richard failing to pay, deponent petitioned the former committee, who upon proof of the deed, &c., permitted him and the other trustees to enjoy the land and

tenement until they had received thereon £60 or thereabouts ; subsequently, deponent delivered to Richard Hodgson the assignment to be cancelled, accepting the £60 as payment for the £40 out of the remainder of the said £60; he and his co-trustee received about £16, he believed, towards the keeping of the said Ellin before her intermarriage. Richard Hodgson, promising to satisfy the said Ellin, was permitted to enjoy the premises ; two thirds of the same became again sequestrated for Richard Hodgson's recusancy, and so continued after her marriage to petitioner, and to whom he, deponent, believed there was due in right of his wife the sum of £60 at the least.

Edmond Hoggard, of Kellet.

(First Series, Vol. lxxxi., No. 2,571, fols. 429, &c.)

fo. 429. Report made by Mr. Reading, on a petition of the above, on 10 January, 1653[-4], in which petitioner desired to be admitted to contract for two thirds of his estate then under sequestration ; he found that petitioner was seized for life of a small estate in Over Kellet.

fo. 431. Reference to the Lancashire Commissioners.

fo. 433. Petition (29 November, 1653).

fo. 436. Particular.

fo. 437. Certificate as to annual value.

fo. 440. Petition.

fo. 441. Petition (16 May, 1653).

For **Andrew Holden** see **John Hammond**.

Richard Holden, of Chadgely, Gent.

(First Series, Vol. xlv., No. 1,016, fols. 665, &c.)

fo. 665. Petition of Ann Nowell, widow, and John Tomlinson, gentleman, which shewed that certain parcels of land, situate in Worston, co. Lanc., and in sequestration for the recusancy of Richard Holden, of Chadgely,

gentleman, although he never had any estate in them but only as a feoffee in trust for the use of his children, they being infants, in which trust one Gabriell Hesketh and Bernard Driver were likewise named ; that the said trustees, for a valuable consideration, surrendered the said parcels to petitioners ; that Richard Holden was dead (in April, 1652), and yet the premises continued under sequestration for his supposed recusancy, to the great loss and damage of petitioners. They prayed for an order to examine their title (24 November, 1653). Granted.

fo. 667. Report by Mr. Reading, dated 26 July, 1654, on the above petition. He found that at the Halmot Court, held for the manor of Chatbourne, Worston, and Pendleton, at Clitheroe Castle, on the 24th October, 1636, before James, then Lord Strange, and Sir John Byron, knight, chief steward there, it was found by the Homage that Thurston Tomlinson, of Bayly, by Richard Marsden, a customary tenant there, and sworn, the 13 August, 1636, did surrender into the hands of the lord one close of land, called "Pike Acre," containing, by estimation, 5 acres ; also another close, called "Longe Acre," containing 3 acres ; also another, called "Dugdale Field," containing 2 acres ; another, "Lodge Croft," 2 acres ; another, "Short Acre," 2 acres ; and also those closes of land, of Oxgang land, called "Whatcrofts," 7 acres, situate and lying in Worston, to the use of Gabriel Hesketh, of Goosenargh, gent., and Richard Holden, of Chargeley, their executors, administrators, and assigns, during the lives of the said Richard Holden, Henry Holden, and Eleanor Holden, his son and daughter, and the longest liver of them, and according to the custom of the manors aforesaid Gabriel Hesketh and Richard Holden were admitted. He found that later the said Gabriel Hesketh, Richard Holden, and one Bernard Driver, of Whalley, surrendered the premises into the hands of the lord to the use and behoof of petitioners, for the term of the lives of the said Richard Holden, Henry Holden, and Eleanor Holden, children of the said Richard, or the longest liver of them. Evidence

was given touching the above by John Nowell, gent., Gabriel Hesketh, Bernard Driver, and Edward Eddy, so he submitted to judgment whether the sequestration ought not to be discharged.

fo. 675. Order of reference to the Lancashire Commissioners.

fo. 677. Petition. (Copy.)

fo. 679. Communication from the Lancashire Commissioners, Preston, 6 April, 1654.

ff. 681-90. Interrogatories and examinations of witnesses.

Richard Holcroft, of Lowton, Deoman.

(First Series, Vol. xxxii., No. 993, fol. 162.)

fo. 162. Petition, which shewed that two thirds of petitioner's estate had been sequestered for his recusancy. He prayed to be admitted to contract for the same in accordance with a proviso in the Act (30 December, 1653). Referred to Mr. Reading to report.

For **Holland Chapelry** see **Earl of Derby**.

For **James Holland** see **Hugh Charnley** and **John Boughton**.

Ralph Holland, of Eccleston.

(First Series, Vol. xxx., No. —, fols. 1,016, &c.)

fo. 1,016. Petition, which shewed that petitioner's estate had been secured for his supposed recusancy upon some misinformation in the year 1648, by the Sequestrators of the County, for the clearing thereof the Commissioners of the County tendered petitioner the Oath of Abjuration; whereupon, producing a certificate under the minister's hand and others, a manifest proof was brought of his integrity to the Government, thereupon the Commissioners

ordered his discharge (copy of the certificate annexed to the petition), still the Sequestrators for Lancashire refused to yield obedience without an order from above.

(2 July, 1651.) "The Com^{rs} to certify whether there be any other cause of Seqⁿ then Recusancy."

fo. 1,017. "Manch^r Att the Co^mittee 31 October 1649"

Certificate, signed by Ric: Shutleworthe, Peter Egerton, Edw. Butterworth, exhibiting that petitioner had taken the Oath of Abjuration.

fo. 1,021. Certificate, signed by Peter Egerton, J. Bradshawe, Tho. Birche, of petitioner having taken the Oath of Abjuration before them at Manchester on the 21 December, 1648.

fo. 1,019.

"December 20th 1648

"These are to certifie whomsoever it may concerne that the bearer hereof Ralphe Holland of Eccleston within the Parish of Prescott in this our County of Lancaster, for the space of five yeares and upward, hath beene a Constant frequenter of our Congregation of ¹ Ellins in the foresaid Parish as witnesse our hands the day and year aboue said

(Signed)

"RI: MAWDESLEY minister.

THOMAS LYON

JOHN RYLANDS

JOHN LEIGH

EDW POTTS

} Elders²

William Naylor

John Title [? Tickle]"

(First Series, Vol. xcix., No. 3,891, fol. 107.)

fo. 107. Letter from Ormeskirke, 27 December, 1651, signed by Edw. Aspinwall, Robt. Cunliffe, and G. Pigot,

¹ "St" inserted and erased.

² "Officers" first written, altered to "Elders."

mentioning that they had received the order of 3 July, 1651, made on the petition of the above, in which petition it was alleged that in 1648 two thirds of his estate had been sequestered for his recusancy, and that upon a certificate from the ministers and others of the congregation of Ellins [St. Helen's] in Prescott parish of his constant frequenting that congregation, and he having taken the Oath for Abjuration of Popery before the then late Committee, they freed his estate.

Mentioning also that they (the Lancashire Commissioners) had been required by the said order to examine the truth of the above, and to certify touching the same, and that they found on perusal of the old accounts that the above was true, that his estate had been discharged as stated.

Richard Holland, of Latham, Yeoman.

(First Series, Vol. xxx., No. —, fol. 1,009.)

fo. 1,009. Petition, which shewed that John Fletcher, of Burscough, in the county of Lancaster, for a valuable consideration of money had, by good conveyance in law, conveyed all his tenement in Burscough, with the consent and confirmation of his mother, to petitioner and his heirs and assigns during his term therein. Yet petitioner could not then get possession thereof, as two third parts of the said were sequestered for the recusancy of the said John Fletcher and Anne, his mother. Prayed that he might be admitted to compound for the said two third parts, a particular of which he annexed.

Richard Holland, of the Hall of Sutton, Gent.

(First Series, Vol. lxx., No. 2,080, fols. 87, &c.)

fo. 87. Order, after consideration of the petition of Samuel Trotman, Esq., allowing his claim to enjoy the

lands of Richard Holland, of Sutton, in satisfaction of a judgment obtained against Mr. Holland, and allowed by the then late Committee of Lords and Commons.

fo. 89. Affidavit of George Litherland, of Sutton, aged sixty, yeoman, who deposed that he was very familiar with Mr. Holland, of the Hall of Sutton, gent., then deceased. Mr. Holland had told deponent that he owed a Mr. Trotman, a lawyer, a large sum of money by bonds, and he also told deponent that he had consented to a judgment for the debt. In a subsequent conversation, Mr. Holland told deponent that Mr. Trotman had called in his money, and if the debt were not paid expected to have the benefit of the said judgment, for he, Mr. Trotman, had extended all the lands of Mr. Holland in Sutton. Deponent the better knew this because he was Mr. Holland's near neighbour, and lived then, and had before, near the said place. He further said that Mr. Holland died about four years then ago, leaving three young children, and nothing to keep them but the lands so extended, which were then let at £24 a year, and worth no more, and that the children had had but a fifth part of that for about a year then last past, and said that after the death of Mr. Holland, till they obtained the said fifth part, they had been maintained by the charity of some neighbours who took compassion on them, else they might have gone a begging, or starved. Sworn 29th June, 1654, before the Commissioners.

14 March, 1653-[4]. Report by Mr. Brereton.

fo. 95. Order referring case to Lancashire Commissioners.

fo. 97. Petition. (Copy.)

fo. 99. Affidavit of petitioner, sworn before the Commissioners, 13 July, 1652.

fo. 101. Letter dated from Wigan, 20 November, 1651, signed by E. Aspinwall and G. Pigot, mentioning proceedings taken by them, and enclosing copies of examinations of

ff. 103-105. Henry Gerrard, of Newton.

fo. 107. Certificate, exhibiting that Richard Holland, of

Sutton, gent., had been sequestered for his recusancy and delinquency. This certificate is dated 20 May, 1652.

fo. 109. Certificates dated 7 June, 1653, stating that on a search no information appears to have been exhibited, nor any proceedings had. The former is taken from the Lancashire returns, the latter out of the records in London, both officially signed in London and Manchester, 31 August, 1649. Order, by the then late Committee, authorizing Mr. Trotman to take the profits from Mr. Holland's property.

ff. 113-114. Report by Mr. Bradshaw, dated 5 July, 1648, who submitted to judgment whether the debt ought not to be paid by the Committee who made the sequestration, or Mr. Trotman be allowed to take his remedy on the judgment.

fo. 115. Order, confirming the Report by the Committee of Lords and Commons, signed by John Wylde (8 July, 1648).

fo. 117. Certificate exhibiting proceedings had in the case.

fo. 119. Petition, 20 July, 1652.

fo. 121. Petition, 26 June, 1651.

ff. 123-4. Report by Mr. Bradshaw, 5 July, 1648.

fo. 125. Notice by the Lancashire Commissioners to Agents for Sequestration of the order granting petitioner the benefit of his judgment.

fo. 127. Order confirming Mr. Bradshaw's report on ff. 123-4.

(First Series, Vol. c., No. 4,012, fols. 293, &c.)

fo. 295. Letter dated at Wigan 20 November, 1651, signed by Edw. Aspinwall and G. Pigot, mentioning that, in observance of an order of the 26 June then last, made upon the petition of Samuel Trotman, of the Temple, Esq., they had taken the examination enclosed for proof of the matters alleged in his petition, and finding that the estate mentioned in the petition was then enjoyed by

petitioner, by force of the judgment in the petition likewise mentioned, according to their instructions in like cases, they had secured the same, which rested so secured ; but what profits petitioner had formerly received they knew not.

fo. 293. Examination of Henrie Gerrard, of Newton, gent., taken at Preston 3 October, 1651, who deposed to the correctness of several documents shown to him, and to the proceedings taken in the case by the then late committee ; and that a paper shown him then was a true copy of the judgment, given in the Exchequer at Westminster, against Richard Holland, of Sutton, and others.

(First Series, Vol. lxxvii., No. 2,360, fol. 183.)

fo. 183. Petition from Richard Wood, of Sutton, which disclosed that William Holland, of Sutton, gent., then deceased, and John Justice, of the same town, in the 15th year of King James, by their recognisance in nature of a Statute Staple, acknowledged themselves to be indebted to Sir Thomas Fisher in the sum of £200. Sir Thomas, in 1626, for a valuable consideration, assigned the same to petitioner. The money not having been paid, petitioner had taken proceedings against the said parties, their goods, lands, &c., but the estate, which had been " extended " for the £200, had been then lately sequestered or secured by the Sequestration Agents in Lancashire for the recusancy and delinquency of Richard, son of the above William Holland. Petitioner therefore prayed for an inquiry, which was granted (16 February, 1652[-3]). Mr. Reading to report.

(First Series, Vol. lxxxi., No. 2,579, fol. 509.)

fo. 509. Petition from Thomas Howarden, disclosing that former proceedings had been taken in this case and the return made by the Lancashire Commissioners. The estate involved was that of Richard Holland, of Sutton, a papist and delinquent, whose estate had been seized.

Petitioner desired a lease of it at the value assessed in the return, namely £27. 19s. 8d. a year (23 November, 1654).

Order, "The Commissioners to let a lease for a year at the best rent they could get for the same."

EDWARD HOLLAND, RICHARD HOLLAND, AND ANN
HOLLAND, SONS AND DAUGHTER OF RICHARD
HOLLAND, OF SUTTON, GENT.

(First Series, Vol. xxx., No. —, fols. 956, 957.)

fo. 956. Petition, which shewed that their father's real and personal estate in Lancashire had been sequestered for ten years preceding, for his delinquency; that their father and mother were both dead many years then ago. Petitioners had had no part of the estate allotted to them, "whereby they had utterly perished had they not have been relieved by the charity of several good-minded people." As the estate had not been included in any Act for sale of delinquents' lands, they prayed for the allowance of a fifth so as to enable them to subsist.

(12 July, 1655.) "Ord^r that y^e 5th pte w^{ch} hath beene formerly allowed by ord^r be continued"

(13 July, 1655.) "M^{da} noe 5th hath hiterto beene graunted"

fo. 957. A certificate (14 November, 1654) exhibiting the yearly value of the estate of Richard Holland, of Sutton, gent., a papist and delinquent (£27. 19s. 8d.).

For Robert Holland see James Rutter.

Thomas Holland, of Clifton, Esq., and
William, his Son.

(First Series, Vol. lviii., No. 1,879, fols. 695, &c.)

fo. 698. Petition from Thomas, George, and John Sorocold, of Barton, which shewed that, about seven-

teen years then since, Thomas Holland, of Clifton, Esq., mortgaged to William Leaver, of Carsell [Kersal], in the same county, gent., all his estate belonging to Clifton, (reserving the hall and demesne for life, and also five younger children's portions), but redeemable on payment of £1,400; that the said Holland did not redeem according to the time limited for redemption, thereupon Elizabeth Leaver and others, the executors of the said William Leaver, upon petitioners paying the said £1,400, conveyed the premises to petitioners, and subsequently for a valuable consideration Thomas Holland had also conveyed to petitioners half the demesne reserved by him, as aforesaid, for life. So that the whole estate became petitioners' until they should have been satisfied their money. Petitioners had enjoyed it until then recently, when the same was sequestered for the delinquency of the said Thomas Holland, and William, his son. Petitioners, therefore, in regard that Thomas Holland had no title in the premises until they the petitioners were paid, prayed that the sequestration might be discharged, or that an enquiry might be held as to their title, and that in the meantime on good security petitioners might receive the rents, or that they might remain in the tenants' hands (17 July, 1651). "Commissioners to examine & certify & thereupon a Referend."

fo. 695. Duplicate petition.

fo. 699. Petition, which shewed that upon hearing petitioners' cause, 29 June, 1652, the sequestration was discharged off certain lands to pay petitioners' debt, but no order passed as to an allowance of the arrears of rents and profits from 1649. They prayed for an allowance 4 August, 1652. Ordered arrears to be paid from 29 December, 1649.

ff. 705-717. Report by Mr. Reading dated 22 June, 1652, reviewing the case at great length. He found that Thomas Holland, of Clifton, Esq., and William Holland and Daniel, his brother, in consideration of £320 granted to William and Robert Leaver and their heirs and assigns,

the capital messuage called Clifton Hall, with the demesne lands and other lands belonging thereto, they to have and hold the same without any manner of condition, redemption, or revocation, and a fine levied. By a second indenture between the same parties and Adam Byrom, in consideration of a marriage then afterwards intended to be had between William, son and heir-apparent of the above Thomas Holland, and some one of the daughters of the said William Leaver, such as the said William Holland should at his age of consent and discretion best like of (which marriage never took effect), and for confirming a jointure for Elizabeth, wife of him, the said William Holland, and in consideration of £200 paid to the said Thomas Holland by the said William Leaver, and in consideration that William and Robert Leaver were contented to join with the said Thomas Holland in conveying the said manor and lands of Clifton to the uses in that then present deed expressed, and in consideration that William Leaver should pay 500 marcs to the brothers and sisters of the said Thomas Holland, and for other considerations therein expressed it was covenanted and agreed that William and Robert Leaver should join with Thomas Holland in settling and conveying the said manor of Clifton to such uses and purposes as were therein expressed. It was further covenanted that the manor of Clifton, with its rights, members, and appurtenances, and all other lands, tenements, &c., of the said Thomas Holland in Clifton, Lealand, Farrington, Swinton, Pendlebury, and Manchester, should be and thereby were assigned to feoffees to the uses in the said indenture mentioned, namely, to paying an annuity to Thomas Holland for life, and a stated sum yearly until the portions of the younger children should have been raised.

Thomas Holland reserved the mansion and several pieces of land (all named in the indenture), with certain liberties for digging for coal and "kannel" and carrying away from the mines then open. In this deed the sum of

£1,400 was secured to be paid William Leaver (to be paid 1 May, 1647, in the church porch at Manchester), then the estate was to be re-conveyed to the said William Holland, or to such person as paid the £1,400, with covenants providing, in default of issue male to the said William the son, and the heirs male of his body, for the assurance of the title to the person who paid the money by the heirs of the Hollands.

A third indenture between Thomas Holland and William his son, Elizabeth widow of William Leaver, Robert Leaver, John Lomax, John Harper, and Elizabeth his wife, and divers other sons and daughters of the said William Leaver of the one part, and Theodore Heap of the other part, they selling to the said Theodore the manor and property from the 8th of the month (the deed was dated for six weeks); then another deed between the same parties and petitioners. Deed dated 20 April, 1647.

Mr. Reading ultimately found

- (1) That part of the premises had been sequestered for the delinquency of Thomas Holland, remainder stood secured for the delinquency of William, the son.
- (2) The whole estate was the inheritance of Thomas Holland, who having mortgaged it as mentioned above, assigned it to certain uses; in the second indenture the former mortgage was made void and new uses raised of the whole.

So he submitted to judgment "Whether the Deed of 1647 was in trust for the said William Holland (who had the right of redemption therein from Leaver), and so sequesterable for his Delinquency if he were so adjudged and not pardoned by the Act of General Pardon."

fo. 723. Order referring case to the Lancashire Commissioners.

fo. 725. Petition (13 November, 1651).

fo. 727. Petition. (Copy.)

fo. 728. Order of reference to Lancashire Commissioners.

fo. 729. Letter from Lancashire Commissioners, Preston, 5 September, 1651, enclosing

ff. 731-736. Examinations of witnesses.

fo. 737. Certificate exhibiting that Thomas Holland, of Clifton, was sequestered for delinquency.

fo. 739. Affidavit of Elizabeth, daughter of Thomas Holland, declaring that she well knew that William, eldest son of Thomas, had not married any daughter of William Leaver.

(First Series, Vol. xcvi., No. 3,849, fols. 383, &c.)

fo. 383. John Holland, of Roads, in Pilkington, yeoman, examined, said, touching the delinquency of William Holland, of Clifton, gent., that he (examinant), being a soldier in Lathom House when the same was kept as a garrison against the Parliament, the said William Holland came to the garrison and continued there for the space of two or three nights and days, and was bedfellow with witness. He further said that, one day during his stay there, the said William Holland was mustered in the foot company then under Capt. Rawsthorne, then a captain in and afterwards governor of the said garrison, having an halbert or other arms. Witness saw him standing in rank and file with the said soldiers, and Holland desired witness to help him to some place of command or otherwise in that garrison, but witness told him he could not as he had no command there himself, and being asked what other persons were then in that garrison who could give evidence in this particular, he replied he knew not any of them, being a stranger; "how did he then remember their names?" Sworn at Manchester, 25 April, 1651, before Peter Holt and Rob. Cunliffe.

fo. 384. Sarah Jackson, of Clifton, spinster, sworn, said that when the Earl of Derby's forces kept the town of Wigan against the Parliament she, being in the said garrison, saw Mr. William Holland, of Clifton, come into the

same garrison, riding in a troop of horse, which troop she believed belonged to the said Earl, but she did not see him have any arms. Sworn same day and place before same persons.

(First Series, Vol. xxx., No. 950, fol. 951.)

fo. 951. Petition from William Holland, of Clifton, Esq., which shewed that, upon the 1st of September, 1652, upon motion made on his behalf, desiring the benefit of the Act of General Pardon, inasmuch as his estate did not stand actually sequestered on 1 December, 1651, it was ordered thereupon the seizure or sequestration upon his estate should be taken off and discharged, yet, notwithstanding, the seizure upon some part of his estate lying in Farrington, Leyland, and four houses in Clifton, still then continued to the great damage and inconvenience of petitioner ; he prayed for an order to the Lancashire Commissioners for the discharge of his estate from sequestration. "The Com^{rs} ex. & certify as desired & Mr Reading to report" (10 November, 1654).

John Holliday, of Heyhouses, Yeoman.

(First Series, Vol. c., No. 4,018, fols. 319, &c.)

fo. 321. Letter, dated at Preston 6 September, 1652, signed by Robert Cunliffe and G. Pigot, acknowledging receipt of an order of 25 May then last (relating to a former order of 2 February, 1651[-2], which they had then likewise secured), in the matter of the above, wherein the Commissioners above were pleased to express that he having brought back the letter of 3 February, and declaring that he was molested in his estate, and having made out that he had shewed the letter to them (the Lancashire Commissioners), and they objected that it was insufficient for them to discharge his estate, they, therefore, finding

that he endeavoured, by his false and untrue suggestions, to clear himself, humbly made bold to certify that they well remembered that in March then last he brought to them an order under their Honours' hands, which they conceived to be the same as that of 3 February, 1651[-2], whereby it was ordered that if Holliday's condition were as expressed in the paper enclosed in the said order, and that he was receiving 2s. a week pension from the inhabitants of Heyhouses towards the maintenance of himself and family, then they were to free his estate, but he at the same time bringing them the said order open, and no paper enclosed, as was intimated, and knowing him to be a man of a factious and turbulent spirit they conceived there might be some miscarriage. However, if he had then left the order and paper with them they should have certified their knowledge therein, which was that petitioner had no such allowance of 2s. a week to their knowledge, neither did they believe that he ever had or was having such, for they had then taken the examinations of Roger Nowell, Esq., and William Waddington (copies of which they enclosed), whereby it fully appeared that he enjoyed two thirds of a tenement worth £12 a year, and that for release thereof he had had tendered to him £160, and they therefore submitted whether, on the above unjust pretences, he ought to be freed from sequestration.

ff. 319-320. The information of Roger Nowell, Esq., of Reade, and of William Waddington. From the information of the former it appeared there had been much litigation between petitioner and him, both in the Duchy Courts and at Westminster, that ultimately it was agreed that a commission should issue, and was issued to Ralph, afterwards Sir Ralph, Asheton and Savill Redclyffe, Esq., to determine all differences between them, each binding himself under heavy bonds "to stand their doome and awarde." The award was against petitioner, he having to surrender the estate on payment to him of £160, but he refused it, and held possession. Deponent mentioned that the award had been made twelve years then ago, but he

was still willing to pay the £160 if petitioner would surrender the 32 acres of land, being part of the tenement above referred to.

fo. 320. Waddington, servant of the preceding, sworn, deposed that he had been desired by his master to carry to Whalley Church porch the sum of £160, and there to tender the said money to petitioner, which he did, but neither Holliday, or any one for him, put in an appearance.

William Hollinhead, Yeoman.

(First Series, Vol. lxxxii., No. 2,627, fol. 255.)

fo. 255. Petition, shewing that two thirds of his estate were sequestered for his recusancy only; he therefore prayed to be admitted to contract for the same (13 January, 1653[-4]). Referred to Mr. Reading.

John Holliwell, of Waightington, Yeoman.

(First Series, Vol. lxxx., No. 2,510, fol. 161.)

fo. 161. Petition, shewing that two third parts of petitioner's estate being under sequestration for his recusancy only, he prayed to be admitted to contract for the same (18 December, 1653). Referred to Mr. Reading.

Ann Holme.

(First Series, Vol. c., No. 4,011, fols. 287, &c.)

fo. 291. Letter, dated at Wigan 6 December, 1653, signed by E. Aspinwall and Robt. Massey, mentioning that in observance of an order dated 19 July preceding, on the petition of Gilbert Holme, of Knowsley, touching his

title to two thirds of the moiety of a tenement in Knowsley, sequestered from Anne Holme (petitioner's mother), then deceased, they had examined witnesses on his behalf, and cross-examined them on behalf of the Commonwealth, copies of which, with the interrogatories, they enclosed, and they certified that the premises had been sequestered in 1643 for the recusancy of the said Anne.

fo. 287. Interrogatories administered to the witnesses. Examinations taken at Wigan on the 6 December, 1653, of Edward Halsall, of Sutton, aged 60 years, who said he knew petitioner and Edmund Holme, his father, and Anne, his mother, and that Edmund had died about twenty years then ago, and that Anne had died about three years then ago.

fo. 288. Also of Gilbert Holme, of Knowsley (petitioner), aged fifty, who deposed to his title to the premises.

fo. 289. Interrogatories administered on behalf of the State to Edward Halsall.

(First Series, Vol. xxix., No. —, fols. 1,014, &c.)

fo. 1,016. Petition from Gilbert Holme, of Knowsley, which shewed that petitioner's father, then late of Knowsley, deceased, by indenture of assignment, and by his last will, dated 13 November, 1627, granted the moiety and one half of a tenement in Knowsley to Ann, his wife (petitioner's mother), during her life; the other moiety, and the reversion of her moiety, to petitioner. Petitioner's mother, being a papist, had two third parts of her said estate sequestered during her life; she died on or about 15 November, 1650, yet the sequestration of the premises had been continued.

• He prayed for an order to have the matter examined, the sequestration discharged, and arrears recouped to petitioner. (No date, no order.)

fo. 1,014. Certificate exhibiting the return of the yearly

rent paid by the Lancashire Commissioners, extracted from their accounts by Tho. Browne, auditor.

Edmund Holme.

(First Series, Vol. lxxix., No. 2,455, fol. 110.)

fo. 110. Petition from Thomas Wilkinson, of Maghull, gentleman, which shewed that Edmund Holme, by indenture dated 2 November, 21 James [1623], assigned to Richard, his eldest son, and his assigns, all that capital messuage and tenement lying in Maghull, during the term of the original lease, reserving power to himself to make a dower to any wife he might subsequently marry; that part of the premises came to the possession of the said Richard, who predeceased his father and left a widow, Margaret, and a daughter, Mary, and subsequently petitioner married Margaret, the widow, and in her right enjoyed part of the premises, and Edmund Holme the other part reserved to himself, and that two thirds of the premises in the times of the then late wars became sequestered for the recusancy of the said Edmond and petitioner. That Edmond had died about three years then ago, and petitioner's wife being the then only surviving life in the premises, at her death the reversion fell to Lord Molineaux, the lord and inheritor. Petitioner therefore prayed the benefit of the then late Act, and desired to be admitted to compound for the said two thirds (2 December, 1653). Referred to Mr. Reading.

Ellen Holme.

(First Series, Vol. xxix., No. —, fol. 1,011.)

fo. 1,011. Petition from William Holme, of Pemberton, which shewed that he, in the year 1651, farmed from the

Commissioners for Lancashire two thirds of one slate delph (sequestrated for the recusancy of one Ellen Holme, widow) within Billing, in the said county, for one year, to have been fully ended on the 2nd of February, 1652[-3], but in their return the said Commissioners had entered it as let for seven years, although his taking was only for a year, and he would neither accept a lease nor give security otherwise.

The then Commissioners (1655) had levied £4 for the year 1653, and demanded and threatened to levy for 1654, as also for the then future until the seven years had expired.

He prayed for an order relieving him, and that he might no more be troubled in the matter (1 May, 1655). "The Com^{rs} to certify &c. & proceedings to be staid for 6 weeks next."

For Henry Holme see Henry Doughty.

Robert Holme.

(First Series, Vol. liii., No. 1,689, fol. 895.)

fo. 895. Petition from Edward Rigby, of Gray's Inn, Esq., which shewed that petitioner's grandfather being seized of one messuage with its appurtenances in Goose-nargh, did, 15 February, 18 Ch. I. [1643], demise the same to one Robert Holme, for ninety-nine years, at a rental of £14 yearly, with a proviso if the rent was left unpaid more than twenty days after the time fixed for payment that then the lease became void. The fee simple vesting in petitioner, he had entered into possession, but the Lancashire Commissioners had sequestered two parts of it for the recusancy of the said Holme. He prayed for an order discharging the sequestration, or to refer the question of petitioner's title to the Country Com-

missioners, which was granted (12 June, 1651). "The whole referred to M^r Brereton."

For **Edward Holt** see **Sir Cecil Trafford**.

Richard Holt, of Ashworth, Gent.

(Second Series, Vol. xxx., No. 1,633, fols. 715, &c.)

fo. 715. Delinquency, deserting his habitation, living in the King's quarters, assisting the forces raised against Parliament. He returned to his own house 3 December, 1645, from the garrison at Lathom, "dangerously sick." He compounded on a particular which disclosed that he was seized "in taylor" in possession of a messuage called Ashworth, and certain demesne lands and a mill in the parish of Middleton, of the value of £100 a year; also of certain "ould" rents issuing out of several messuages and tenements in Saddleworth, in the county of Yorke, worth £10. 13s. 4d. yearly; also of a like estate issuing out of messuages, tenements, &c., in Ashworth, Woolsten, Hulme, Cheesden, Marcroft Yade, Spottland, Butterworth, and Blackstone Edge, worth yearly £43. 14s.; also in possession an estate in fee to him and his heirs of a messuage called Cobbs Nabb, and certain "moorish" land thereunto belonging, within the parish of Bury and Middleton, worth £8 a year.

He stood indebted to several persons in sums amounting to £626. Fine, £551.

fo. 718. Petition.

fo. 719. Certificate, signed by Wm. Barton, that petitioner took the National Covenant before him on the 4 March, 1646[-7].

fo. 720. Similar certificate, signed by Tho. Vincent, that he took the Negative Oath 3 May same year.

fo. 721. Petition from the Committee of the County Palatine of Lancaster to the Committee at Goldsmiths' Hall, London, dated 8 February, 1646[-7], stating that in

their judgment the illness of petitioner had been the chief cause of the delay and neglect on his part in prosecuting his composition.

fo. 723. Particulars of his estate. In this statement he mentions the names and addresses of his creditors, namely :—

Mr. Cudworth, of Wearneth ...	£132	0	0
Mrs. Cheetham, of Manchester	140	0	0
Mr. Stansfield, of Ratchdale ...	140	0	0
Mary Durden	82	0	0
Mr. Gledall, of Yorkham	132	0	0

RICHARD HOLT, OF ASHWORTH, ESQ.

(First Series, Vol. xxix., No. 918, fols. 981, 982.)

fo. 981. Petition, which shewed that upon payment by him of the moiety of the fine imposed on him for his delinquency, the Commissioners ordered the suspension of the sequestration of his estate, and if the Committee in the county had let any part of his estate he was to satisfy himself with the rent for which it was let. Contrary to the tenor of the said letters of suspension, some of the Committee had ordered that a sum of £65, belonging to his estate, and payable by the farmers of his estate the 25 March, 1651, should be paid to the sequestrators, thus preventing him from paying his second moiety.

Prayed for an order that he might receive his rents. (No date, no order.)

fo. 982. Certificate, signed by John Bradshawe, John Starkie, and Robert Cunliffe, dated at Preston 22 May, 1648, declaring that Mrs. Grace Greenhalgh, Richard Meadowcroft, James Taylor, and John Wood, farmers of the estate of Richard Holte, of Ashworth, Esq., owed £65 rent for the year then last past, and, inasmuch as the rent was due before petitioner compounded, they ordered the tenants to pay the same to the Sequestration Agents of the district.

(First Series, Vol. c., No. 4,000, fols. 165, &c.)

In this case the County Commissioners were required to search the records of the former Committee touching the sequestration of John Greenhalgh, of Brandlesome, Esq. (see p. 124).

fo. 165. Certificate, signed by William Kinardsly and Richard Bradshaw, then late Agents for Sequestration for Salford Hundred, dated 17th December, 1652, shewing that the goods at Brandlesome were sequestered by them for the delinquency of Richard Hoult, Esq., and not for the delinquency of petitioner, Thomas Greenhalgh, nor were they aware that any estate of petitioner's had been sequestered in that Hundred for any delinquency charged upon him, and they had been Agents for that Hundred from the beginning of 1643 to January 1649[-50].

Robert Holt, of Castleton, Esq.¹

(Second Series, Vol. xvi., No. 856, fols. 502, &c.)

fo. 502. Delinquency, he deserted his own dwelling, and went and lived in the king's quarters, and voluntarily assisted those forces raised against the Parliament. He rendered himself to Major-General Poyntz 8 December, 1645, and took the National Covenant and Negative Oath, as by certificate of Sir Ralph Ashton, Baronett, and Wm. Ashurst, Esq., appears, on the 9th June, 1646.

He compounded on a particular which disclosed that he was seized in fee to him and his heirs of the manors of Chesham and Naden, and of certain chief rents and other improved rents issuing out of certain lands and tenements lying in Chesham, Naden, Hundersfield, Rachdale, Bury,

¹ See a notice of him in Lieut.-Col. Fishwick's *History of the Parish of Rochdale*, pp. 307-8; also the Inq. p.m. of his father, John Holt, Esq., in *Record Society's Publications*, Vol. xvii., pp. 334-338.

Tottington, Mackland [? Marland], Castleton, Spotland and Butterworth, value yearly £49. 17s. 3d., also of a like interest out of places in the same town, &c., of £48. 13s. 6d ; also of a like estate in a capital messuage called Stubble, and in certain demesne lands, with a mill thereunto belonging, also of other moorish grounds called Ramsdens, Trough, and Ugsholt, of the yearly value of £121. 3s. 4d., and at the death of his mother, Dorothee Holt,¹ there would come to him the manor of Castleton, certain demesne lands, tenements, and a mill there, also improved rents issuing out of lands, &c., situate in Castleton, Rachdale, and Burye, worth yearly £172. 14s. 8d., also other rents issuing out of lands in Castleton and Rochdale worth £16. 16s. 2d. yearly, also, after the decease of one Mary Chadwicke, other lands and tenements lying in Castleton, of the yearly value of £24, and a debt of £50 owing to him from one George Holt ; and he owed £480.

By a deed dated 29 April, 13 Charles [1637], he demised the said manors and lands to Edward Hopwood, to hold for twenty-one years, to receive the profits on trust to raise portions for Dorothee Holt and all other daughters compounder may have, and if compounder died within the term, his next was to pay Dorothee £1,500 within two years.

fo. 505. Petition.

fo. 506. Second petition asking for a license to come to London to compound.

ff. 508-509. Particular of his estates.

fo. 511. Certificate, signed by W. Ashurst, that petitioner had taken the National Covenant and Negative Oath.

fo. 512. Pass, signed by Major-General Poyntz, dated at Nottingham 8 December, 1645, allowing petitioner, with his servants and baggage, to go from Bangor to his house at Castleton, there to remain for thirty days.

fo. 515. Memorandum from John Ashe to petitioner, disclosing terms on which his composition could be made.

¹ Daughter of Nicholas Banastre, of Altham, Esq.

fo. 516. Third petition of compounder.

fo. 519. Reasons why he did not "come in" sooner.

fo. 520. "S^r

"The Gentle^{man} whose case is enclosed is my old school-fellow ffrynde & acquaintance and one of my owne knowledge whose principles have been always verie right. Although by some ill working of his Country-man y^e Earl of Darby he was induced in y^e beginning of theis troublesome tymes to leave his habitacon & decline y^e mainfēñance of y^e pl^{ts} cause. I know well you have yo^r Rules to pceede by and I will never move you to vary from them, But if you have any liberty left to leighen or abate the ffyne as y^e Compound^r hath bene more or less guilty I can do no lesse then testify for this gent^l my knowledge and opinion of him wth whom from my yong^r yeares I have bene so well acquainted, resting well assured that he is one of those who of infirmitie and not out of malice hath brought himself into this Case. Und^r this notion I leave him to yo^r Justice & consyderaçon & craving yo^r pardon for giving you this Trouble I rest

Yo^{rs} (S^r) wherein I

may serue you

(Signed) JO. BRADSHAWE.¹

Grayes Inn

8^o 8^{ber} 1646

(Superscription)

"ffor my much honed ffriend
John Ashe Esq Theise"

fo. 552. Certificate from Lancashire Committee stating that petitioner had applied to them about the beginning of August, 1645, for a pass to come in, but in consequence of the state of the country they forbore to grant the same.

(Signed) G. IRELAND.

PETER EGERTON.

EDW. BUTTERWORTH.

fo. 523. 17 October, 1646. Rep. Sep. 48. Fine £1,150.

¹ This is John Bradshaw the Regicide.

(First Series, Vol. xxix., No. —, fols. 983, &c.)

fo. 983. Petition, which shewed that he had been admitted to compound for his delinquency the 8th of December, 1645, yet his fine was set at a sixth because he then failed to show that he "came in" before the first of the same December.

He, in obedience to their order, had paid in his first moiety.

Petitioner in the beginning of August, 1645, was a suitor to the Lancashire Committee to be permitted to return to his own house, and thus to come to the Parliament and make his peace, but they forbore for that time granting the prayer, by reason whereof he was forced to address himself, through his friends, to Major-General Pointz, then at Nottingham; petitioner then residing in a remote place in North Wales could not render himself before December 8, 1654, by reason that West Chester was besieged and the ways very much obstructed, though he much endeavoured to do the same.

He prayed that the Commissioners would consider the whole case, and reduce his fine to a tenth according to the equity of his case.

fo. 984. Order of Lancashire Committee, 8 March, 1647[-8], removing sequestration of the property. Signed by Peter Egerton, John Starkie, J. Bradshawe, Edw. Butterworth.

fo. 987. "The case of Robert Holte, of Castleton, in the county of Lancaster, Esq., as touchinge his composition.

"His delinquencie was the defectinge of his owne howse and living in the King's quarters.

"That he rendered himself to Major-Generall Pointz the eight of December 1645.

"That he endeavoured to come in before the day but liveing then in the furthest part of North Wales, and Chester at that time close besieged, he could not procure means to do it.

"Deductions; he had a debt owing unto him of £50, and is indebted to several persons £480, whereof £300 to Frances Bindlosse (an infant) in trust for his use.

"By indenture 29^o April 13^o Caroli [1637], his lands stand charged with the sum of £1,500 for a portion to Dorothy Holte, his daughter, wherein there is a proviso contained upon tender of 5s. to the trustees the deed to be void. Which clause of revocation was only intended that he might have power in the disposal of his daughter being otherwise bound not to revoke it, she being his only child by his first wife,¹ who brought him a considerable portion. His desire is that he may be admitted to compound according to a 10th, and that his deductions may be allowed, or in some reasonable sort considered.

"There are certain arrears of rents due to him and divers goods taken from him, either without order or before any order or ordinance of Parliament for sequestrating the same, whereof he craves a saving when he shall discover and recover the same."

fo. 990. Certificate, dated 20 November, 1646, signed by two members of the Lancashire Committee (J. Stanley, G. Ireland), declaring that petitioner had by other parties moved the committee, mentioning his desire to return to his home, and wanting an order so to do. This was refused.

For John Hood see William Worthington.

For Robert Hoole see Richard Hodgson.

James Hornby, of Medler.²

(First Series, Vol. lxxxii., No. 2,598, fol. 43.)

fo. 43. Petition, shewing that two thirds of petitioner's estate were under sequestration for his recusancy only, he

¹ Mary, daughter of Sir Robert Bindloss, of Borwick. She was buried at Rochdale 29 March, 1631.

² In Kirkham Parish.

therefore prayed to be admitted to contract for the same (10 January, 1653[-4]). Referred to Mr. Reading to report.

For John Horrock see Thomas Clifton.

For Horwich Chapelry see Christopher Anderton.

For John Hothersall see Edward Browne.

Robert Hothersall.

(First Series, Vol. lxx., No. 2,231, fols. 629, &c.)

fo. 629. Petition from Richard Boulton, of Chipping, gent., which disclosed that Robert Hethersall, then late of Elston, deceased, was lawfully seized of a tenement and certain lands in Elston, and that he, by indenture dated the 11 January, 1649[-50], settled part of the said land on Katherine, his wife, who subsequent to the death of the said Richard, sold her interest to petitioner, and that, notwithstanding this, he could not get possession because the land stood sequestered for the recusancy of the said Robert Hethersall; petitioner therefore prayed for an examination into his title (23 March, 1654[-5]). Referred to Commissioners below. Mr. Reading to report.

(First Series, Vol. lxxvii., No. 2,389, fol. 569.)

fo. 569. Petition from John Fishwicke, of Grimsargh, shewing that Sir Richard Houghton, Bart., had demised to petitioner a tenement and some barren land lying in Grimsargh for ninety-nine years if three lives so long lived. There was one life in being of a preceding lease, whose name was Hothersall; he had been sequestered for recusancy and had died, but the Lancashire Commissioners refused to discharge the sequestration without an order from above; petitioner therefore prayed for the order or an enquiry into his title (24 May, 1655). Ordered to be discharged if the estate was not worth more than 40s. a year.

Robert Halgh, or Hough, of Moston.

(Second Series, Vol. xxxiii., No. 1,777, fols. 89, &c.)

fo. 89. Delinquency, in arms against the Parliament. He compounded on a particular which disclosed that he was seized for life of an estate (remainder to Ralph Ashton, Esq., a member of the House of Commons), in and of a messuage in Moston, and certain lands thereto belonging, worth yearly £10.

“June 14 1648, fine at a sixt £30.”

fo. 92. Petition.

fo. 93. A report as to the settlement of the property held by compounder, which he had stated was for life only, but the premises were settled on him, and the remainder to his first, second, third, and every other son in tail, the remainder to the said Richard Ashton. Fine reduced £5.

fo. 96. Petition.

fo. 97. Particular.

fo. 100. “These are to Require yo^u on sight hereof to forbear to piudice Cap^t Robert Haulgh of Manchester by plundering his house or rifleinge his goods or takinge away any of his horses or any other Catle whatsoever or doing any violence to his pson or famely as yo^u and euey of yo^u will answere the Contrary at yo^r pill hee hauinge engaged himselfe upon the Treaty at Truro in Cornwall not to beare Armes ag^t the pliam^t. Giuen under my hand this 2 of Aprill 1646.

(Signed) “F FAIRFAX.”

“To all officers and
souldiers under
my Comãde.”

fo. 101. Certificate from the Committee of the County of Lancaster, stating that Robert Hough, of Moston, took the National Covenant and Negative Oath, and submitted himself to Parliament and thereupon is permitted to live

at his "own house without lett or molestation until further orderⁿ.

"Given att Preston under our hands 3 June 1646

(Signed) "J BRADSHAWE VIC
RIC HOGHTON
JOHN STARKIE
RICHARD ASHETON
NICHOLAS CUNLIFFE
H FLETEWOODE
WILL KINGE
ROB^t CUNLIFFE"

Gilbert Houghton, of Brainsercolne, Gent.

(First Series, Vol. xxxi., No. —, fol. 344.)

fo. 344. Petition, which shewed that his estate had been surveyed for sale under the Act forfeiting lands for treason to the Commonwealth, prayed that, in accordance with a proviso in the Act, he might be allowed to compound for the same.

"2 Martij 1652. Ref^d to M^r Brereton to state and report upon the Survey from Drury House E. W. R. M."

Gilbert Houghton, of Wheelton, Esq.¹

(Second Series, Vol. xlii., No. 2,524, fols. 678, &c.)

fo. 678. Delinquency, assisting the forces raised against the Parliament. He petitioned 3 May, 1649, and compounded upon a particular which disclosed that he was seized for life, the reversion being in Sir Richard Hoghton

¹ Fourth son of Sir Gilbert Houghton, second baronet, and his wife Margaret, eldest daughter and co-heir of Sir Roger Aston, of Cranford, co. Middlesex, knt. He was governor of Worcester in the Civil War, and died in 1661.

and his heirs, of a moiety of a house and lands in Wheelton and the moiety of a mill there, worth yearly, above the rent, of £50 paid to Sir Richard Houghton £22. 10s. Fine £45.

fo. 681. Petition.

fo. 682. Particular.

fo. 684. Certificate, dated 10 April, 1649, signed by W^m Eccleston and Tho. Jackson, declaring that they had set four fifth parts of compounder's land at Brinscoles for the then year at £7.

At foot, "fine £19. 14s. 2d."; a reduction probably on account of the rent of the land above having been reserved "for the use of State."

(Second Series, Vol. lii., No. 3,412, fols. 23, &c.)

fo. 23. Report by Mr. Brereton, by which it appears that Mr. Houghton was one of the persons comprised in the Act for sale of lands forfeited to the Commonwealth by the name of Gilbert Houghton, of Brinscolls. The survey of his estate, taken according to the said Act, was returned the first of February, and by Ralphe Darnell, Esq., certified to the Committee at Goldsmiths' Hall 4 March, 1652[-3].

He petitioned the 2nd of the same month to compound according to a proviso in the same Act. By the survey it was certified that petitioner was then lately seized, as joint tenant for life, the reversion to his brother Sir Rich. Houghton, of a capital messuage in Brainscols, in the parish of Wheelton, an overshot water corn mill, certain parcels of land with common, and a turbary, worth yearly £57, the moiety whereof belong to petitioner, value £28. 10s. 0d. And by the said survey an indenture was certified, dated the 9th July, 1616, purporting that Sir Gilbert Houghton charged the premises, together with certain manors and lands, with a rent of £240 per annum during the life of Dame Margaret, his wife. And the surveyors certified that the premises were subject to the said rent. A second indenture, dated 25 April, 1636,

purported that Sir Gilbert Houghton demised the said messuage and premises to John Whittle and others for 99 years, if Roger, Gilbert, or Henry Houghton, sons of Sir Gilbert, so long lived, rendering £5 per annum with the other old and accustomed rents and sources, in trust for such person and persons as the said Sir Gilbert, by any writing, or his last will in writing should appoint, for want thereof in trust for his said three sons and the survivor of them. The indenture was produced, and petitioner alleged that all the witnesses were dead, except Richard Dawson and Raphe Sharnok; the latter being unable to travel, being very old, the former was on his way then to London to prove the deed. It was certified that the rent of £5 was charged upon the premises, a moiety of which was the petitioner's. Petitioner deposed that £10 a year, part of the £240 rent charge payable to Lady Margaret, was paid out of the farm of "Briscolls," part of the lands charged; that the £10 had been allowed to Lady Margaret both by petitioner and his brother Henry Houghton before the sequestration, and by the said Henry since; that there was a rent of £5 paid out of the above farm to Sir Richard Houghton as the lord's rent; that only a moiety of the farm belonged to petitioner, the other moiety belonging to the said Henry Houghton, who was then living (30 March, 1652).

fo. 25. Order by Committee to refer the case to Mr. Brereton dated 2 March, 1652[-3].

fo. 27. Petition.

fo. 29. Deposition of petitioner, the substance of which is incorporated in the report. Fine £104. (31 March, 1652.)

Henry Houghton, of Walton, Gent.

(First Series, Vol. xxxi., No. —, fols. 359, &c.)

fo. 363. Petition, mentioning that within a few weeks then preceding his estate had been secured by the Lancashire Commissioners, charging him with delinquency. He

prayed for an order to allow him to cross-examine the witnesses produced against him, as also to examine such other witnesses as he should produce on his own part (13 November, 1651). "Ordered; if he had not before been sequestered he was to be allowed to examine & cross-examine in the case, & the same then to be returned to London."

fo. 359. Petition, which shewed that the Lancashire Commissioners had, under pretence of his delinquency, secured his estate, and had given him the heads of the charge against him, which they had sent up to the Commissioners in London. He prayed their Honours to grant publication of the examinations, and to appoint a day for the hearing of his case, and to order that, in the meantime, his personal estate might remain undisposed of (11 February, 1651[-2]).

"21, after notice to the Commissioners in the County for them to certifie whether they have examined all the witnesses on the behalfe of the Commonwealth and to examine in the meantyme & to certifie accordingly with the returne of the Depositions to the End publication may passe then. R. M. W. M."

Hugh Houghton (deceased).

(Second Series, Vol. 1., No. 3,348, fols. 897, &c.)

fo. 897. "The case of M^{rs} Margaret Warde of Toxteth Park in the county of Lancaster widdowe which shee desires to compound.

"That the nowe Earle of Derby by his Indenture of Lease datid 16^o Septembris in the Sixt yeere of his Māt's reigne did demise and Lease unto Hugh Houghton geñ and his assignes, a certain messuage and Lands called Childwall howse to hold for the Tearme of 21 yeeres from the date of the Lease, if the said Hugh, Isabell his wife, and ffrances his daughter, or any of them, should soe long liue under the rent of 40^s per añ. That the said Hugh after-

wards in consideration of a £100 paid by the pet^r did assigne and set ouer all his interest and remayne of yeeres therein then to come and unexpired for securinge of the repaym^{te} of the money with interest afterwards the said Hugh becomes a delinquent and this tearme sequestred as his estate and shortly after he dyed the pet^r doth petitioñ the Com^{tee} of that Countye for her reliefe and they order to be paid out of the rents and profitts of the Land of which shee could never get a pennye, and nowe though shee haue bin alwayes well affected to the Parliam^t yet chooseth rather to submitt unto a ffine to cleere the estate, then by a Circuite of proceedinge to procure the freedome thereof otherwise; The Lands are of the yearly value of £30 ouer and aboue the rent reserued for which to pay a ffine as others for the remayne of 6 yeeres if the two liues shall liue soo long, is £20

(Signed) "D WATKINS."

Fine £15.

fo. 699. Petition, at foot of which occurs

"Mais^r Joseph Rigby for and in behalfe of Margaret Warde widd and being by her thereunto authorized Doth submit unto and undertake to satisfy and pay such ffine as by this Com^{tee} for Composiçons wich Delinquents shall be imposed and set to pay for the same in order to the ffreedome and descharge of the "person" [erased] and estate of the said Margaret Warde.

(Signed) "JOSEPH RIGBYE."

22 June 1652

[Endorsement] "The Leas being expired nothing done in it."

Inett¹ Hoghton, of Cuxton, Widow.

(First Series, Vol. xxxi., No. 970, fol. 334.)

fo. 334. Petition, which shewed that two thirds of her

¹ Mrs. Green (Calendar of the Proceedings of the Committee for Compounding, &c.—Domestic Series, Part V., p. 3, 186) gives this name as Ivett. I suspect it ought to be Janet.

estate had been sequestered for her recusancy only. She prayed to be admitted to contract for the same in accordance with the Act (13 January, 1653[-4]). Referred to Mr. Reading.

Lady Jane Houghton.¹

(First Series, Vol. xxxi., No. 970, fol. 375.)

fo. 375. Petition from Dame Jane Houghton, which shewed that the Lancashire Commissioners secured her estate on pretence of late delinquency, and had remitted to London their certificate with the examinations and cross-examinations taken by them. Petitioner prayed for a publication with copies of the examinations, and that a day might be appointed for hearing the case (17 March, 1651[-2]). "Publica^on to pass unlesse the Com^{rs} in the Country certify cause to the contrary within 10 days after notice & that they certify their answer."

(First Series, Vol. xxxiii., No. —, fols. 205, &c.)

ff. 205-212. Report of Mr. Peter Brereton, dated 8 February, 1652[3], based on an order of 21 October, 1652, on a petition of Robert Hesketh, of Rusford, co. Lancaster, brother and heir of Thomas Hesketh, then deceased, desiring to receive the rents, &c., of certain tenements in the said county, surrendered by Jane, Lady Houghton, widow, the relict of Robert Hesketh, then deceased, unto the said Thomas, to enable him to demise the same, which rents had been seized for the recusancy of the said lady as part of her jointure. He found that Sir Richard Houghton, and the said Lady Jane, then his wife, formerly wife of Robert Hesketh, father of the said Thomas, by indenture dated the 17 October, 1628, reciting that the said Sir Richard Houghton and Dame Jane, his wife, by good assurance stood seized in her right, as part of her jointure, assured to her for life by the said Robert, her then late

¹ See note, p. 207.

husband, amongst other things, of a messuage and tenement in Mawdesley, co. Lancaster, in possession of John Charles, and of certain closes in Mawdesley aforesaid, in the occupation of Hugh Norres, and reciting that the said Thomas Hesketh, by good assurance, made by the said Robert, his father, stood seized in immediate remainder amongst other things of the said messuage and tenement and closes for life, with power to make leases for three lives or 21 years in possession.

The said Sir Richard Houghton and Dame Jane, his wife, for the enabling the said Thomas Hesketh, according to his power, to demise the said messuage and tenement to the said John Charles for the life of the said John and of Margaret, his wife, and Margaret, his daughter, and to demise the said closes unto the said Hugh Norres, for the lives of Elizabeth, his wife, and of Robert and Thomas, his sons, did surrender unto the said Thomas Hesketh the said messuage and premises, and covenanted to levy a fine unto him the then next General Sessions, to be held at Lancaster, which indenture was produced ; and by an endorsement thereon, under the hand of the said Thomas Hesketh, it appeared the said Thomas accepted the said surrender, the sealing and delivery of which indenture was deposed to by Robert Mawdesley, one of the witnesses subscribed, who further deposed that all the rest of the witnesses subscribed to the sealing and delivery and the said acceptance (save the deponent) were all then dead. He found that Sir Richard and Dame Jane Houghton levied a fine at the then next assizes held at Lancaster.

And Dame Jane Houghton, after the decease of the said Sir Richard, by her deed indent, dated 23 May, 1635, reciting that a cottage, &c., in Mawdesley, aforesaid, then or then late in the possession of Thomas Byrom, glazier, were, as part of the manor of Mawdesley, conveyed by the said Robert Hesketh, deceased, to her use for her jointure, the remainder to the said Thomas for life, with power to lease, as above, in possession, but not in reversion, in consideration of 12d. paid by the said Thomas Hesketh,

and other good causes, granted and surrendered the said cottage to the said Thomas Hesketh, and constituted John Charles and Thomas Harsnep, her attorneys jointly or severally to deliver possession and seisin, which deed was produced. Robert Mawdesley deposed the name Richard Mawdesley (one of the witnesses subscribed) to be the proper handwriting of Robert [*sic*] Mawdesley, deponent's father. Hugh Pemberton, the other witness subscribed, deposed that he was present, and a witness to the delivery of possession and seisin of the deed of surrender, and that the mark subscribed was his proper handwriting.

And the said Dame Jane Houghton, by another deed indent, dated 29 October, 1638, reciting as therein was recited, in consideration of the surrender of a former lease, and of £10 paid by Hugh Nelson, and to the intent to enable the said Robert Hesketh to lease according to his power as above, granted and surrendered to the said Thomas Hesketh a messuage in Mawdesley, then in the occupation of Margaret Nelson, and certain closes in Mawdesley particularly named, and the third part of a Mosse in Mawdesley, called the meane Mosse, and appointed Michaell Nelson and Thomas Harsnep her attorneys, to deliver possession and seisin, which deed was produced and deposed to by John Disley and Robert Mawdesley, witnesses respectively endorsed.

And the said Dame Jane Houghton, by another deed dated the 10th June, 1639, reciting also as therein is recited, in consideration of a surrender and a competent sum of money paid by Thomas Baccus, and to the intent to enable the said Thomas Hesketh to lease according to his power, granted and surrendered to the said Thomas Hesketh a messuage in Mawdesley, then in the possession of the said Thomas Baccus, and certain closes in Mawdesley, which deed was produced and deposed to by Henry Baccus and William Porter, two of the witnesses subscribed. She, by another deed, in consideration of £3 paid by Nicholas Bradshaw, demised a messuage in Mawdesley,

in the occupation of Thomas Eccleston, to the said Thomas Hesketh. Deed produced and proved by Thomas Mawdesley and Edward Bowker, witnesses respectively subscribed.

She, by another deed, in consideration of several surrenders and £13. 6s. 4d. paid by Robert Holland, granted to the said Thomas Hesketh a messuage in Mawdesley, then in the possession of Robert Holland, and certain closes with the appurtenances there. The deed was produced and deposed to by John Milner, one of the witnesses subscribed. She, by another deed indent in consideration of £10 paid by Richard Mawdesley, then deceased, granted to the said Thomas Hesketh, a messuage in Mawdesley, then in possession of the said Richard Mawdesley, and certain lands there, to the said Thomas Hesketh (deed produced and deposed to by Bartholomew Hesketh, Michael Nelson, and John Disley). She, by six other deeds, granted other messuages to the said Thomas Hesketh, all of which were deposed to by some or all of the witnesses subscribed to each.

Henry Baccus, Thomas Porter, John Milner, and divers other witnesses, sworn 26 December, 1652, further deposed that the said Thomas Hesketh died about five years then ago, and that Robert Hesketh (petitioner) was his brother and heir.

Robert Mawdesley, Thomas Milner, Thomas Harsnep, Michael Nelson, Elizabeth Stones, Edward Lathom, Willyam Eccleston, and Robert Nelson, sworn and cross-examined on behalf of the Commonwealth, severally deposed that they did not know that there had been any collateral assurance given by them respectively for payment of moneys, rent or fine, to the said Lady Jane Houghton, subsequent to the time of the surrenders made by her unto the said Thomas Hesketh, then deceased.

All which examinations, taken in pursuance of an order of 13 May, 1652, by the Commissioners for Lancashire, were certified by them 8 October, 1652. And they also certified two orders by the then late Committee for

the county of Lancaster, one dated 3 March 1646-[7], reciting that, whereas the Committee of Lords and Commons for Sequestrations, by their order dated 13 January 1646[-7], upon a certificate from the said Committee for Lancashire, in the case of Robert Hesketh (petitioner), it was referred back to the said Committee to examine the matter, and if the conveyance in the said certificate mentioned were found to be duly executed, then to allow the same, and the said Robert Hesketh to be permitted to enjoy the lands, and be restored to the profits received since the said estate fell to him by the death of the delinquent, and in regard the conveyance had been sufficiently proved upon oath, the Commissioners for Lancashire therefore, by their order, required their agents to observe the said order of the Committee of Lords and Commons, provided that none of the lands, &c., by the said deed, conveyed to the said Lady Jane Houghton for her jointure, and since by her surrendered unto Thomas Hesketh, deceased, and in sequestration for her delinquency, should be thereby discharged. The second order referred to of the then late Committee, certified by the Commissioners for Lancashire, bore date 20 April, 1647, and was to this effect; forasmuch as Lady Houghton had surrendered her estate in divers lands, &c., in Mawdesley, Wrightington, and elsewhere, to the said Thomas Hesketh, deceased, to enable him to make leases in possession, which lands, &c., by his death had come to Robert Hesketh (petitioner), his brother and heir; it was ordered that the sequestration of such of those lands, sequestered for the delinquency of the said Thomas, as were surrendered unto him before the ordinance for sequestration, be discharged, and that the rents and services of the tenants due since January then last be restored to Robert Hesketh, the petitioner, notwithstanding the proviso in their order of the 3rd of March; and whereas it was informed that the tenants of all or some of those tenements surrendered, had given collateral assurance unto Lady Houghton for payment of so much money yearly as the rents come to, it was ordered that the

agents make enquiry thereof, that such moneys, so secured, may be seized by the public.

That was all he found, and he submitted to judgment whether the said several surrenders upon their respective proofs be good against the Commonwealth or not, and consequently whether the petitioner ought to be permitted or not to receive the rents of the said several tenements, the recusancy of the said Lady Jane Houghton notwithstanding.

fo. 213. Certificate (15 January, 1652[-3]), exhibiting the proceedings that had been taken in the case.

fo. 214. Petition (copy) (May 13, 1651). Petition (3 March 1651[-2]). Copy.

fo. 217. Order, 3 March, 1651[-2], referring the case to the Lancashire Commissioners.

fo. 219. Order, (21 Oct., 1652), referring case to Mr. Brereton to report.

fo. 222. Communication from Lancashire Commissioners (copy), Preston, 8 Oct., 1652.

fo. 223. Extract from the accounts of William Eccleston, and Thomas Jackson, agents to the Committee for Sequestrations, exhibiting the acreage (135) and yearly value (£63. 19s. 10d.) of the lands belonging to Mr. Hesketh, of Rusford (15 January, 1652[-3]).

ff. 227-258. Examinations, taken at Preston, of Robert Mawdesley, yeoman, Thomas Milner, of Bispham, yeoman, Michael Nelson, Elizabeth Stones, widow, Edward Latham, yeoman, William Eccleston, husbandman, Robt. Nelson, all of Mawdesley, sworn 3 August, 1652, before Edwd. Aspinwall and Robt. Cunliffe. Examinations taken at Ormeskirk 26 December, 1651, of Henry Baccus, of Mawdesley, carpenter, aged fifty-six years; Thomas Porter, of Mawdesley, gent., aged thirty; John Milner, of Bispham, schoolmaster, aged forty; John Disley, of Rusforth, yeoman, aged fifty-five; Robert Mawdesley, of Mawdesley, yeoman, aged thirty-two years; Bartholomew Hesketh, of Aughton, Esq., aged forty-four years; Michael Nelson, of Mawdesley, yeoman, aged sixty-six years;

Robert Mawdesley, of Mawdesley, yeoman, aged thirty-two years ; Edward Bowker, of Bretherton, yeoman, aged thirty years ; John Disley, of Rusforth, yeoman, aged fifty-five years ; Robert Mawdesley, of Mawdesley, aged thirty-two years ; Michael Nelson, John Milner, John Disley, Hugh Pemberton, of Mawdesley, glover, aged thirty-three years ; John Milner, Robert Mawdesley (*his*).

Wigan in Co^m Lanc^r. Communication, "dated at the Com^{tee} 3 March 1646[-7]," signed by J Bradshaw, G Ireland, John Sterky, Tho. Birch, Hen : fleetwood, N. Rigby.

Second communication, 20 April, 1647, dated at Wigan, signed by John Moore, Alex^r Rigby, Gilbert Ireland.

ff. 261-269. Several official certificates relating to the case.

RE EDWARD HENEAGE [OF WHETHALL, CO. SALOP,
GENT].

(First Series, Vol. xxxv., No. —, fols. 57, &c.)

fo. 57. "Gentlemen,

"Wee haue rec^d yo^r ord^r of y^e 8th of April 1652 in the case of Edward Heneage Touching an allowance of twenty pounds p Anⁿ due unto him in right of Jane his wife for tearme of her life out of Certaine lands in this County seq^d for y^e Delinquency of Thomas Hesketh Esq by w^{ch} Order Wee are required to pay the said Anuity duering the Ioynt liues of y^e Lady Jane Hoghton & y^e s^d Jane Heneage together wth the arreares due since the 24th of December 1649

Wee shall readily obserue yo^r Direcons in paym^t of y^e Anuity there being noe cause to y^e contrary that wee know of only wee first humbly make bold to certify that the estate out of w^{ch} the same is issuable being formerly Conueyed by Jane Lady Hoghton together wth all the rest of her estate in this County unto the said Thomas Hesketh in his lifetyme upon a certaine yearely rent wth a Clause of Re-entry for non paym^t And the s^d Lands being

found in his possession was seq^d for his delinquency And thereupon it was ordered by y^e late Com^{tee} that the s^d Rent charge of twenty pounds should bee paid out of his Seq^d estate But hee dying & his estate discharged from Sequestra^{con} by ord^r from the Com^{tee} of Lords & Co^mons And y^e rent due to y^e Lady Houghton by the s^d Thomas Hesketh deceased being not paid the s^d Lands wth all the rest of y^e Lady Houghton's estate was seized & seq^d for her delinquency. And afterwards upon her appeale to y^e Barrons of y^e Excheq^r upon a full hearing shee was discharged from delinquency & two parts of her Estate contynued under Seq^{con} for her Recusancy soe that the Lands and Rents in Wrightington and Shevington out of w^{ch} the said Rent charge is issuable being formerly under Seq^{con} for Thomas Hesketh's delinquency is now under Seq^{con} for the Recusancy of the s^d Lady Houghton and as wee conceiue shee ought to pay her third part she receiuing the third part of the pffitts We therefore humbly desire yo^r further order & direcc^{ons} herein whether wee shall pay the whole according to yo^r order or only two third parts thereof out of y^e Lady Houghton's estate it being the same that was formerly Seq^d for M^r Hesketh's Delinquency what yo^u direct shalbee readily obserued by

“ Yo^r honn^{rs} humble Seruants

(Signed) “ ROBT CUNLIFFE G : PIGOTT ”

“ Preston the 23th of June

1652 ”

fo. 59. Petition, which shewed that Edward Heneage in right of Jane, his wife, had an annuity of £20 a year, payable during her life out of certain lands in Wrightington and Shevington, belonging to the Lady Houghton, a delinquent; the same had been allowed and paid to petitioner as appeared by two several orders of the then late Commissioners, but it had been stayed by an order from above upon a petition, and it had been referred to Mr. Brereton, who had reported on it. Petitioner being

an aged man, having no other subsistence than the annuity, and it being then two years in arrear, prayed for the appointment of a "short" day for the reading of the report and the judgment thereon (12 November, 1651).

"To be heard to-morrow morning."

fo. 61. Petition, which shewed that by an order of the Commissioners, dated 8 April, 1651, the Lancashire Commissioners were directed to allow petitioner the rent charge of £20 a year; but as the said lands were under sequestration then for her recusancy, they, the Lancashire Commissioners, conceived that the said lands were chargeable only with two thirds of the said rent. Petitioner prayed for a confirmation of the former order (11 August, 1652).

"Ordered that y^e pet^r haue two ptes of y^e Anuity out of y^t pte sequestred & in y^e States hands from Dec. 29. 1649 and for y^e time to come while y^e whole is under Seq^{on} the Com^{rs} are to pay him y^e whole."

fo. 63. Petition of Edward Hennidge, of Whethall, co. Salop, gent., and Jane his wife, late Jane Reynolds, widow, which shewed that Robert Hesketh, of Rusford, deceased, late father of the said Jane, the 8th February, 1620, by his late will gave to the said Jane £20 a year for life, payable out of the lands mentioned above, and which he left to his wife for her jointure; she after his death married Sir Richard Haughton, Knight; he likewise was then deceased. The lands were under sequestration for the recusancy of Lady Jane Houghton. He prayed for an order on the Lancashire Commissioners directing them to pay him the said £20 a year. No date or order, but at foot "25 10^b 1650. Mr. Wakeman."

fo. 64. "I conceiue y^{at} the Sequestrators of Mr Hesketh's estate ought to pay twentie pounds p aⁿ according to y^e last will and testam^t to Jane Reynolds now wife of Edw^d Heneage if shee & her husband be not delinq^{ts} w^{ch} wilbe shewed by a certificate from yo^r Co^mittee at Wem

(Signed) "ALEX RIGBY"

At foot, pasted on the corner, a small piece of paper
with the following—

“William Eccleston & Thomas Jackson yoⁿ are to
paye 30^{li} out of Mr. Heskett estate to E Hennage ”

fo. 65.

“Dañ iiij Die October 1644

“Apud Prescott. Whereas Colonell Milton & others
of the Com̄ittee at Wem haue made certifficate of the
suffitiencie reallity & clearest from Delinquency of Mr.
Edward Hennage of Whettall in the County of Salop. It
is therefore this day* ordered that the Sequesto^{rs} of Mr.
Heskethe's of Rusforth his Estate shall forthwith pay unto
the sayd Mr. Hennage in sight of his wife beinge some-
time Jane Reynolds, the sum of twentie pounds p anñ
according to the last [will] and Testament of Robert Hes-
keth of Rusforth Esq^r then deceased. Dañ the 8th day of
Septemb^r 1620.

(Signed) “RAPHE ASSHETON
JOHN MOORE
PETER EGERTON
JOHN BRADSHAW ”

“We conceiue that the order lately made concerninge
y^e leaguer of Latham house is noe obstruction to the order
above written but that it ought to be pformed.

(Signed) “F. [?] STANDLEY
RAPHE ASHETON
ALEX STANDISH, RIC. HOLLAND
ALEX. RIGBY
PETER EGERTON
GILBERT IRELAND ”

“*vera copia* Exa^mñ by
Witt Eccleston.”

fo. 67. “At Preston in Lanc^r 7 Junij 1846.” A similar
order to the order on fo. 65, signed by Ric: Hoghton,
Alex. Rigby, Peeter Egerton

At foot of this document, “5^o Junii 1650.”

“In Regard wee haue Received Instrucōns from y^e
Com^{rs} for Compoundinge not to allowe any Extent,

Morgage, or Judgēmt or other Incumbrances layd upon Sequestred estates without order from the said Com^{rs} But the p^{ftts} to be wholly Levyed to y^e use of the Com^{on}-wealth therefore wee conceiue M^r Henage must make his Adresse above for his Reliefe

(Signed) "PETER HOLT, GEO PIGOT
ROBT CUNLIFFE"

fo. 69. Report by Mr. Brereton, based upon an Order of 21 October, 1651, upon the petition desiring the allowance of £20 a year, and two years arrears. He found that Robert Hesketh, of Rusforth, Esq., by his will gave to Jane, his wife (amongst other things), all his lands in Wrightington and Sherington for life, paying to his daughter, Jane Reynolds, £20 a year for life, if she quietly departed from the possession of his houses and lands in Kenwick, and other lands which he had given to Cuthbert, his son; if she refused so to do, the payment of the £20 a year to surcease, and she to take nothing by his will, unless his wife and daughter otherwise agreed; and the said Jane, his daughter, to have the said sum for term of life only; a copy of which, then remaining in the Register's Office at Chester, was deposed to by Richard Heneage.¹ The two orders above, made by the then late Lancashire Commissioners, were also deposed to by the said Richard Heneage. He further deposed that he knew the said Jane Reynolds did intermarry with petitioner, deponent's brother, and that according to the intent of the will she had peaceably and quietly "avoided" from the possession of the houses and lands of the said Robert Hesketh in Kenwick, and elsewhere in the said county of Lancaster. He further deposed that the said £20 had been paid until Michaelmas then two years last past, and that the said Jane Heneage was alive and well on the 13 October, 1651, at Whettall, in the county of Salop, and believed her then (October 28) to

¹ Described as Captain Richard Heneage on an endorsement of the document on folio 67.

be so. He deposed similarly as regarded Lady Houghton, that she was living six weeks then ago, and he believed she also was then (October 28th) alive. He submitted to judgment whether the said rent ought not to be paid with the arrears.

fo. 72. Order of reference to Mr. Brereton.

fo. 73. Petition (21 October, 1651).

fo. 76. Deposition of Richard Henage, of Whetall, co. Salop, gent., sworn before the Commissioners 28 October, 1651.

fo. 71. Second deposition of the same, sworn October 22, 1651.

RE ROBERT MAWDESLEY, ESQ.

(First Series, Vol. xlv., No. 1,359, fols. 245, &c.)

fo. 245. Petition, by which it appeared that petitioner nearly a year then ago had petitioned for the allowance of a rent issuing out of certain lands in Lancashire, sequestered for the delinquency or recusancy of Lady Jane Houghton, whereupon the Commissioners had ordered that the Commissioners in the country should examine the whole matter and certify the truth, which they had done long then since. The same had been referred to Mr. Brereton to report, who had sent in his report five months then ago ; by reason of other cases it had not been nor was it likely then to be heard for months then to come. He prayed, therefore, for an order staying the rents in the tenants' hands till the hearing (18 February, 1651[-2]). "Upon making oath that he hath constantly received the Annuity the pet^r to have the same upon security."

fo. 247. A petition, on the same subject, antecedent in date to the above, 10 December, 1651. Prayer the same. "Cannot be granted."

fo. 250. Petition, which shewed that in the year 1636, William Bamford, of Bamford, co. Lanc., gent., by indenture demised a messuage and some land to Jane

Lady Houghton, and her assigns for the term of life, rendering to him, his heirs and assigns, £20 a year; and subsequently Wm. Bamford, by another deed, dated on or about 3rd September, 1637, sold to petitioner the said messuage, in value whereof petitioner was seized of the said messuage and received the rent from the said Lady Houghton, until the lands were sequestered for her delinquency (13 March, 1651[-2]).

fo. 255. Report by Mr. Brereton in this case. After briefly reviewing the case he submitted to judgment whether the rent with arrears from 24 December, 1649, ought not to be paid to petitioner, Robert Maudesley, he first deposing that he had not released the said rent nor knew any matter or cause whatever why the same ought not to be paid, 26 September, 1651.

ff. 257-258. Other documents connected with the case.

(First Series, Vol. xcvi., No. 3.876, fols. 583. &c.)

Communication from Preston, dated the 8th of August, 1653, signed by E. Aspinwall, Nicholas Cunliffe, and Ro: Massey, replying to an order of the 8th of July preceding made upon the petition of Robert Mawdesley, touching the confirmation of a lease made to him by the Commissioners, of a parcel of land lying in Mawdesley, being part of the sequestered estate of Dame Jane Hoghton.

fo. 583. Deposition of petitioner, sworn 15 March, 1651[-2], which disclosed that Lady Hoghton had leased some lands from one William Bamford, of Bamford, gent., for her life, paying £20 a year; that petitioner had subsequently (but long before the first ordinance for sequestration) purchased these lands from Bamford, and had received the rent of £20 a year until the 15 November, 1650, when further payment was withheld on the ground that the lands were sequestered for the recusancy of Lady Jane.

fo. 585. A communication from the Lancashire Commissioners, dated at Preston 16 March, 1651[-2], enclos-

ing examination of petitioner himself, taken in proof of petitioner's title. In this letter it is mentioned that petitioner was over sixty years of age, a Justice of the Peace for the county, and one of the Commissioners for the Militia and Monthly Assessment, and was at the time so wholly taken up with the public business of the county (the Lancaster Assizes being then held) that he could not attend in person in London at his appeal in this matter, and the Lancashire Commissioners expressed for him a desire that his absence would not prevent the business being proceeded with.

(First Series, Vol. xlv., No. 1,359, fols. 237, &c.)

fo. 237. Petition, in which he stated that he had been admitted tenant for seven years to a parcel of land lying in Mawdesley, called "Nelson's Longshaw," part of the sequestered estate of Dame Jane Houghton (sequestered for her recusancy only); he prayed for a confirmation of his lease (2 December, 1653). "Confirmed if done according to instructions."

fo. 239. Petition, 8 July, 1653, on the same subject.

RE ROBERT CUNLIFFE, OF SPARTIL.

(First Series, Vol. xviii., No. 520, fol. 730.)

fo. 730. Petition, which shewed that the sequestered estate of the Lady Jane Hoghton in Great Harwood, in the county of Lancaster, consisting amongst other things of a water corn mill, unto which there was belonging a calle¹ or weare in the river of Henburne, for the turning of the water to the mill, which weare being in some decay, the Agents for Sequestration had then lately advanced the same in height and place to the great hurt and prejudice of peti-

¹ "Call—the outlet of water from a dam. *North.*" (*Halliwel.*)

tioner's lands, which adjoined to the south end of the said calle or weare, insomuch that petitioner's lands at every flood were much wasted and worn away, and his banks thereby, which he had been at great charges to erect and fence, were beaten down by the violence of the water, to the great damage of petitioner, then already sustained, and thereafter likely to be increased if speedy redress were not had. Petitioner prayed for order to the Lancashire Commissioners to examine the premises (of the petition), and thereupon to give petitioner, out of the said sequestered estate, such reparations for damage which he had then sustained, and also to direct them to replace the said calle in the place it formerly stood, to be made of the height it formerly had been, and to allow the charges thereof out of the profits of the said sequestered estate, and he would ever pray, &c. (12 November, 1651). "The Commissioners in the Countrey to examine & certify & referred to M^r Readinge."

(First Series, Vol. c., No. 4,033, fols. 421, &c.)

fo. 425. Letter, dated at Preston 15 January, 1651[-2], signed by Edw. Aspinwall and G. Pigot, mentioning that in observance of an order of November 12th then last, made upon the petition of the above, touching a "calle" or "weare" in the river of Henburne, for the turning of water to a corn mill sequestered from Lady Jane Hoghton, they had taken the examinations enclosed, which they submitted to the better judgment of the Commissioners above.

fo. 421. Nicholas Whittacre, of Clayton sup^m mo^r, co. Lanc., freemason, sworn, said he knew the water corn mill at Markholme, two thirds of which were under sequestration for the recusancy of Lady Jane Hoghton, formerly wife of Robert Hesketh, of Rusforth, then deceased, and the inheritance, deponent believed, belonging to the younger son¹ of the said Robert Hesketh, and his heirs,

¹ Or "sons."

and he knew the "weare" belonging to the same, and that the south end of that weir adjoined lands belonging to petitioner, and said that the weir had been removed from the place where it anciently was, about four yards, and it was half a yard higher then than formerly ; it had been removed by the direction of Thomas Hesketh, about nine years then ago, or by the Agents for Sequestration since the property had been under sequestration ; that the removing or raising of the weir caused a breach in the banks, and did great damage to petitioner's land, and other facts.

ff. 422-423. Henry Foulds, collier, of the same place, deposed to the like effect.

(First Series, Vol. lxxix., No. 2,489, fol. 556.)

fo. 556. Petition from John Waddington, of Altham, disclosing that petitioner had farmed two thirds of the lands of Lady Jane Hoghton, lying at Martholme, sequestered for her recusancy at a yearly rental of over and above all taxes and levies, and that she had let her own third to a Mrs. Lucie Hesketh, but it so happened that Mrs. Hesketh disturbed petitioner in the possession of his holding by stopping the ways, pulling up the platt, whereby petitioner could neither load, drive, nor carry away his goods, nor would Mrs. Hesketh or her servants suffer him to enjoy any "barneinge" or outhousing wherein to lodge his goods. He also shewed that he farmed two parts of a water corne mill standing on the premises, but the said Mrs. Hesketh, having formerly been farmer of the said mill, took away divers material belonging to the said mill, all which had been provided at the cost and charges of the Commonwealth, as appeared by depositions and certificates returned to the Commissioners above ; he therefore prayed that he might be settled in quiet possession of the two third parts farmed as aforesaid, and that the utensils and materials might be returned and satisfaction made for losses and damage (28 July, 1653). Peremptory orders were issued to the Commissioners to

see that petitioner had his rights, and if no arrangements could be made, then to examine witnesses and return the examinations to London.

(First Series, Vol. xeviii., No. —, fols. 405, &c.)

fo. 405. Petition of John Waddington, of Altham, who had leased part of Lady Jane's estate, consisting of two thirds of a mill; failing peaceably to enjoy his lease he petitioned to have it cancelled.

fo. 407. "S^r By the last frydays Post you Received a Certificat directed to y^e Com^{rs} for Compoundinge in the case of John Waddington wherein is Reference made to a Peti^{ti}on inclosed. But y^e Peti^{ti}on was upon a mistake omitted

"I have now sent it inclosed and desire you wilbe pleased to fix it to the Certificate."

Other matters also referred to in this letter. Signed E. Wall, dated at Preston 29 March, 1653.

(First Series, Vol. xxxi., No. 970, fols. 328, &c.)

fo. 328. Petition from Dame Jane Houghton, of Blackmore, widow, which shewed that two thirds of her estate had been sequestered for her recusancy only; she therefore prayed, according to the Act of the 20th October, 1653, to be admitted to contract for the same (17 January, 1653[-4]). Referred to Mr. Reading. "Not drawne."

fo. 336. Petition, 18 January, 1653[-4]. Referred to Mr. Reading.

John Houghton, of Parkehall, Esq.¹

(First Series, Vol. xxxi., No. —, fols. 368, &c.)

fo. 368. Petition, by which it appeared petitioner had received an order from above to the Commissioners in

¹ Son of William Houghton, of Park Hall, Esq., and Mary, daughter of Sir John Gascoigne, of Barnbow, co. York.

Lancashire directing them to certify what they knew in his case, which they had done. He therefore prayed for a report on the matter (10 November, 1652). "Ref^d to Mr. Readinge."

fo. 369. Petition, which shewed that his estate had been sequestered in the year 1643 for the delinquency of his father, William Houghton, Esq., who had been in arms against the Parliament, and died in 1644; that petitioner was the only son and heir by entail of the said William Hoghton, and therefore the estate of right ought to have come to him, as he (petitioner) was in no way guilty of delinquency, but was a recusant. Yet his father's estate stood sequestered and petitioner had no manner of allowance from it.

He therefore prayed that they would grant to him what they granted to others in his condition, namely, the allowance of his mansion house and a third part of his lands for his maintenance, according to the Act of the 25 of January, 1649[-50]. (14 September, 1652.) "Order as in like cases."

fo. 370. Petition (21 March, 1650[-1]), by which it appeared that the Lancashire Commissioners, by an order dated 20 October, 1646, had allowed for the maintenance of Ann, daughter of Mr. William Hoghton, and sister of petitioner, a fifth part of her father's estate, sequestered for delinquency, "in regard of the miserie she was in, being Lunatick and distracted of her senses in which miserable case she continueth still." Lately then the Commissioners for Lancashire had refused to continue the allowance, referring the question to the Commissioners above; petitioner therefore prayed for a renewal of the relief (21 March, [1650-1]). Granted.

fo. 372. Copy of the original order granting the allowance to Ann, daughter of William Hoghton, deceased. The trustees were Robert Lowe and William Cowper. Dated October 2, 1646.

fo. 373. Contract between W. Eccleston and Tho. Jackson, Sequestration Agents for the Hundred of Leyland

of the one part, and Robert Lowe, of Whittle-in-le-Wood, of the other, letting to the latter "ffoure parts of all the Demesne Lands Water Corne Milne and kiln lying at Parkehall in Charnock Richard in the Hundred aforesaid from 2 February 1647[-8] to December 25th following, rent £43, and to allow Ann Hoghton to enjoy a fifth the Estate." Dated 11 January, 1646[-7].

(First Series, Vol. xxx., No. —, fols. 989, &c.)

fo. 989. Report by Mr. Reading, dated 25 December, 1651, based upon an order of the Commissioners dated 23 May, 1651, on a petition of James Holland, of Heskin. He found that by indenture dated the 9th of February, 1642[-3], John Houghton, the elder,¹ reciting that, whereas William Houghton, Esq., brother of the said John, by deed, dated the 1 April, 1641, demised to the said John Houghton certain closes in Charnock Richard, in the said county of Lancaster, containing 30 acres, to have and to hold from Candlemas, 1642[-3], for 21 years, Reddend 12d., the said John Houghton, for the natural love and affection which he bore to his daughters Katherine (wife of petitioner) and Margaret, and for their better preferment in marriage, granted and assigned to William Prescott and William Wallell, their executors and assigns, the said closes and premises for and during all the rest and residue of the said term of 21 years, upon special trust and confidence, that the said William Prescott and William Walell, their executors and assigns, should receive, gather, and take the issues and profits, and employ them for the use and benefit of the said Margaret and Katherine, their heirs

¹ Son of Richard Houghton, of Park Hall, and Mary his wife, daughter of Roger Rushton, of Poulton. William Houghton was his half-brother, being son of the said Richard and his second wife Katherine, daughter of George Rogerlye and widow of Richard Tildsley, of Garrett. John, the younger son of this William, married for his first wife Mary, daughter of William Worthington, of Blainscoe, whose petition is referred to in these papers, p. 290.

and assigns, until the said Katherine should have received £120; and after payment of that £120 then should permit and suffer the said Margaret and her assigns to have and enjoy the said premises for and during the rest and residue of the said term of 21 years, as by the said indenture (then produced) appeared, proved by one of the witnesses endorsed.

It was certified petitioner had received out of the premises £88 towards the discharge of the £120.

An account was also sent up under the hand of William Eccleston, the Agent for Sequestrations there, by which it appeared petitioner had received out of the profits £8 a year for the years 1644-5-6, and £16 for the years 1647-8-9-50.

The certificate, remitted by the Lancashire Commissioners, did not show for whose delinquency or recusancy the said lands were sequestrated, but petitioner deposed that they had been sequestrated with the rest of the estate of John Houghton, son and heir of William Houghton deceased, who had made the lease to John Houghton, petitioner's wife's father. He also deposed that his wife's father had never been sequestrated.

So he submitted to judgment whether the petitioner should be permitted to enjoy the said lands until he be satisfied the remainder of the money due to him upon the said assignment of the lease, the sequestration notwithstanding.

fo. 993. Petition, referring to an order of the Commissioners, and praying that his case might be referred to counsel and a speedy hearing obtained.

fo. 994. Affidavit by petitioner.

fo. 995. Petition (9 March, 1651[-2]). (Copy.)

fo. 997. Communication, dated at Preston 12 April, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigott, mentioning that they had taken the examinations enclosed with it, and other matters.

fo. 999. Examination of William Dicconson, gent., sworn at Preston 22 March, 1650[-1].

fo. 1,000. Statement showing the profits received by petitioners out of the lands assigned.

fo. 1,001. Order of reference to the Lancashire Commissioners (6 May, 1650).

fo. 1,003. Reference to Mr. Reading (23 May, 1651).

fo. 1,015. Petition from James Holland, of Heskin, yeoman, which shewed that whereas W^{ill}m Houghton of Parke Hall in the co. of Lancaster, Esq., did by an indenture of assignment dated 1^o April, 17 Charles I. [1641] for the considerations therein mentioned assign to John Houghton all those closes and parcels of land called the "Deare bought" the Hould backe the great Medowe & Litle wood lyeinge in Charnocke Rich^d aforesaid to have and to hold for 21 years, and whereas the said John Houghton afterwards & about the 9th of February 18 Charles I by indenture of assignment assigned the premises to W^m Prescott & W^m Wallell for the term above mentioned for the uses expressed therein, he prayed for an order directing the Lancashire Commissioners to allow him to enjoy the premises until the trust was fulfilled.

(First Series, Vol. xcix., No. 3,895, fols. 129, &c.)

fo. 132. Letter, dated at Preston 12 April, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that, in observance of an order of the 6 March preceding, upon the petition of James Holland, of Heskin, they had taken the examination enclosed for proof of the indenture of assignment mentioned in the said order and petition, and they further certified that the said James Holland had received out of the profits of the estate mentioned in the assignment, towards the discharge of the sum of £120 for the marriage portion of Katherine, his wife, daughter of John Hoghton, in the petition named, the sum of £88, as by an account enclosed appeared.

fo. 129. Examination, taken at Preston the 22nd of March, 1650[-1], of William Dicconson, of Helker, gentleman.

fo. 130. Statement of the profits which petitioner had received out of the grounds at Parkehall, assigned to feoffees in trust for the purpose of raising £120 marriage portion for Katherine, his daughter, who was wife of petitioner.

fo. 365. Petition from Mary Hoghton, wife of John Hoghton, of Parkehall, Esq., son and heir of William Hoghton, Esq., late of Parkehall, deceased, which shewed that petitioner's husband was upon his appeal before the Barons of the Exchequer Court of Appeals in cases of Sequestration for the clearing of a delinquency against his father, deceased (petitioner's husband being heir at law to his father). That petitioner and her children had not wherewithal to subsist, whilst the sequestration continued upon her husband's estate, and his appeal before the said Barons remained undetermined. She prayed, therefore, for the allowance of a fifth out of her husband's estate, and that the same might be set out in kind, and that she might receive a proportionable part of the arrears which might then be in the tenants' hands (August 30, 1650). "Com^{rs} in County to certify petitioner to show that her husband was heir at law. Referred to Mr. Brereton."

(First Series, Vol. xxxi., No. —, fol. 323.)

fo. 323. Contract for sale, &c., of the manor of Park Hall, with the lands, tenements, hereditaments, rights, members, and appurtenances thereof lying in the county of Lancaster, parcel of the estate of John Houghton, Esq. Dated 3 August 1653; purchasers, Hugh Dicconson and Robert Holt, gent.

Margaret Houghton, of Carr-house.¹

(First Series, Vol. xxxi., No. —, fol. 376.)

fo. 376. Petition, which shewed she had petitioned for

¹ Daughter of John Houghton, the Elder, of Park Hall.

an allowance out of some lands belonging to Parkhall, assigned by her father to her ; he had the said lands in lease of which the Commissioners had seen the assignment, she therefore prayed a reference (9 December 1651). "Granted."

fo. 377. Petition, which shewed, among other things, that the lands referred to in petition above had been leased to petitioner's father by William Houghton, of Parkehall, Esq., and that petitioner's father had assigned the same to feoffees in trust to raise portions for his daughters Katherine and petitioner for their maintenance and preferment, and that Katherine's husband (James Holland) had been satisfied by an order from the Commissioners in London according to the contents of the assignment She prayed (being a recusant) for a third of the lands mentioned in the assignment, during the remainder of the term of twenty-one years for which they had been assigned (21 October, 1652). "Com^{rs} to certify the title, referred to Mr. Reading, and upon hearing, they would give orders in the Case." "E. W. R. M."

Dame Margaret Houghton.¹

(First Series, Vol. xxxi., No. —, fols. 380, &c.)

fo. 380. Petition, which shewed that in Michaelmas term then last petitioner petitioned for an allowance of a certain rent charge of £15 per annum, part of petitioner's jointure, and issuing out of a certain messuage and lands in Stanworth, in the county of Lancaster, sequestrated for the recusancy of Mr. Gerlington, as in and by the said petition appeared. On this petition it was referred to the Lancashire Commissioners to examine and certify, which they had done. She now prayed for a reference to counsel to state the case (18 May, 1652). "Referred to Mr Brereton."

¹ Widow of Sir Gilbert Houghton, second baronet ; daughter and co-heir of Sir Roger Aston, of Cranford, co. Middlesex.

fo. 381. Petition referred to in the one above. By this latter one it appeared that Sir Richard Houghton, Bart., then deceased, on the intermarriage of petitioner with Sir Gilbert Houghton, his son and heir apparent, did by his deed indented, dated 12 January 9th James I. [1612], in part of petitioner's jointure grant to the said Sir Gilbert and petitioner and their assigns, for their lives and the longer liver of them, an annuity of £240 a year issuing out of the manor of Hoghton, and out of all his lands, &c., in Hoghton, Wheleton, Withnell, Rodlesworth, Ollerton, and Bryneingecroft, in the county of Lancaster. Subsequently the said annuity and the whole of the estate of the said Sir Gilbert was sequestered for his delinquency; he dying the Committee of Lords and Commons, by their order dated 13 of August, 1646, discharged the said annuity, together with the rest of petitioner's jointure, from sequestration, and ordered that she should be permitted to enjoy the same, which she did until the year 1650, when the Sub-Commissioners in the Country refused to pay her £10 per annum, part of the said annuity of £240 a year, which said £10 ought to issue out of certain lands within Hoghton, called Stanworth, and then sequestered for the recusancy of Gerlington, the tenant. She prayed that the order of the Committee of Lords and Commons might be confirmed, and that the estate might be freed from sequestration (18 November, 1651).

"The Com^{rs} for Lanc^r to peruse &c & ex. the petition, with witnesses on oath if the case require & certify unto us the proofs (if any be) with the cause wherefore they have stayed the petr^s Anuity or any pte thereof with what else they know or upon enquiry shall finde material and convey the premises to us sealed up within 28 dayes after notice hereof."

fo. 383. Report by Mr. Brereton, the facts of which are embodied in the above petition.

fo. 385. Order of reference to Mr. Brereton (18 May, 1652).

Petition (18 May, 1652). (Copy.)

fo. 389. Order (19 August, 1646), based on a report of the case by Mr. Bradshaw.

ff. 391-393. Mr. John Bradshaw's report (4 August, 1646).

Margaret Houghton, of Shevington, Widow.¹

(First Series, Vol. xxxi., No. —, fol. 352.)

fo. 352. Petition, which shewed that she had not had anything allowed her from the estate of her late husband, William Houghton, who had died some years then ago. She prayed for an order on the Lancashire Commissioners directing them to allow her dower according to law, the sequestration notwithstanding (12 August, 1651). "The Com^{rs} in y^e Country to ex. & certify thereupon further ord^r."

Raphe Houghton, of Kirkles, Gent.

(First Series, Vol. xxxi., No. 970, fol. 332.)

fo. 332. Petition, which shewed that he had been summoned to appear before their Honours in London in causes of Sequestration in Lancashire to take the oath of abjuration, that he was infirm and sickly, and his friends undertook to obtain further time, and doubted not to accomplish the same, he, petitioner, being conformable, having taken and subscribed the engagement, and having never acted against the State; however, by some omission or mistake, his estate was ordered to be sequestered, as he had been informed. He prayed, therefore, for an order directing the Lancashire Commissioners to examine wit-

¹ Daughter of Nicholas Worthington, of Shevington, and second wife of William Houghton, of Park Hall, Esq.

nesses and certify, so that his estate might be discharged (12 July, 1653). Prayer granted.

Ratcliffe Houghton, Esq.¹

(First Series, Vol. xxvi., No. 773, fols. 172, &c.)

fo. 172. "According to yo^r Order of the 12th of May 1653 upon the reporte of M^r Readinge in the case of Alexander & George ffeildinge Executors of George Shawe concerning a debt due to them and charged upon the estate of Ratcliffe Houghton Esq deceased & whereby it was Resolved that the Deed of the 2nd of Aprill 1631 whereby the said debt is charged upon the said Land bee allowed the said Alexander and George ffeildinge first accountinge upon oath with yo^r Audito^r for what hath beene received (att the full value of the said Lands) towards satisfaction of the said debt & I haue examined and doe finde as followeth

"In the Reporte of M^r Readinge of Councell for the Co^monwealth remayning with yo^r Register It is certified that Ratcliffe Houghton by his Indenture dated the 2nd of April 1631 recyting a Lease to him formerly made by Sir Richard Houghton Knight his father deceased of the capitall Messuage and divers Lands called Stanworth in the County of Lancaster for the lives of Ratcliffe Houghton Richard Houghton and Roger Houghton sonnes of Sir Richard Houghton Knight and for the life of the longest liver of them did grant assign and set over the premisses and all his estate therein unto Thomas Walmesley Esq^r and Sir Thomas Walmesley Kn^t his sonne and heire apparent from the date of the said Indenture for 99 yeares if the said three lives live soe long upon speciall Trust and Confidence that they shall suffer the said Rat-

¹ Fourth son of Sir Richard Houghton, of Houghton, Bart., and his wife Katharine, daughter of Sir Gilbert Gerard, of Gerard's Bromley, co. Stafford.

cliffe Houghton and his assigns to possess and enjoy the premises for the terme of his naturall life and that after the decease of the said Ratcliffe the said Thomas Walmesley and S^r Thomas Walmesley and the Survivo^r of them and his assignes should receiue and take the issues and profitts of the premisses and therewith satisfye pay and discharge all the iust and due debts of him the said Ratcliffe due att the tyme of his death, &c.

“ That the said Ratcliffe Houghton by his Bill dated the 22nd of July 1640 did acknowledge himself to owe to George Shawe deceased 108^{li} to bee paid the first day of September then next, and by one other Bill of the same date the so^me of 10^{li} to bee paid the 22nd of January then next ensuinge and for paym^t of the said Bills of 108^{li} and 10^{li} bound himselfe his heires Executo^{rs} and Admⁱstrators in the several so^mes of two hundred poundes and twenty poundes &c.

“ That George Shawe made oath before the Co^mittee of Lancaster that there was due to him upon the said Two bills cxviiij^{li} and lxx^{li} xiiij^s viij^d for interest and that he was content to abate one third pte of the said Interest and that the Two thirds ptes of the said Estate was lett for the year 1648 for 23.06.08 and they did order that the said George Shawe should Receiue the profitts thereof from the 21th of ffebruary 1647[-8] untill the said debt of 118^{li} and Two ptes of the Interest should bee fully satisfied.

“ Alexander ffeilding one of the Executo^{rs} of George Shawe in his Accompt (hereunto annexed) Exhibited upon oath the first of November 1653 deposeth that the said George Shawe and Alexander ffeildinge did receiue towards satisfac^on of the said debt onely the so^me of fforty poundes, and that hee the said Alexander ffeildinge did pay towards the two third ptes of a horse charged upon Stanworth for the use of the State the So^me of six poundes thirteene shillinges and fflowerpence.

“ Soe that upon the groundes aforesaid I finde as followeth

fo. 173. Copy of the above account with affidavit of Alexander Feildinge appended, sworn before the Commissioners 1 November, 1653.

fo. 221. Order made by the Committee of the Lords and Commons in the case of George Shawe on a report by Mr. Bradshaw (annexed thereto), attested with the clerk's hand of that Committee. It was ordered that the report be allowed, and that the Lancashire Committee who had sequestered the estate of Ratcliffe Houghton (the deceased delinquent) should either pay petitioner so much of his debt and interest as he upon his own oath should make to appear to be justly due to him and in arrear, or else that he be permitted to receive the profits of the lands charged until he was satisfied, notwithstanding the sequestration, unless cause to the contrary within a month were shewn.

ff. 223-225. Report of Mr. Bradshaw in the case (6 December, 1647).

Richard Houghton, of Ridley.

(First Series, Vol. lxiii., No. 2,178, fols. 399, &c.)

fo. 399. Report by Mr. Dd. Watkins, dated 18 January, 1648[-9], upon an order of 30 December, 1648, on a petition of William Walker, of Smallshaw, Ashton-under-Lyne Gent, desiring to compound for certain bonds there which he had purchased from Richard Houghton, of Blackbourne (as he said), before any sequestration or any knowledge he had of any delinquency in the said Richard Houghton. Mr. Watkins found that Mr. Houghton, by a lease dated 6 December, 21 Charles [1645], in consideration of £40. 8s. therein mentioned to have been paid, assigned to petitioner all that messuage and lands called Taunton, with the appurtenances, to have and to hold for 21 years, if he, the said Mr. Houghton, so long lived, at a yearly rental of 2s., and, by a deed dated 8 August, 1646,

reciting a fine by him levied at the General Assizes for the County the 3 August, 1646, did, for the consideration of £200 mentioned to be paid, convey and assure to petitioner all that part of a messuage called Taunton Hall and a barn, garden, and certain closes containing about 20 acres, and that Mr. Houghton, by another deed, dated 4 June, 1647, in consideration of £126, mentioned also to be paid, sold to petitioner and his heirs three closes in Taunton containing by estimation about 9 acres. By a particular delivered the annual value for which he desired to compound was £26. He produced a copy of an order pretended to have been made by the Committee of the County that Mr. Houghton had been sequestered on the 1st September, 1646.

ff. 401-403. The particular.

fo. 405. Petition.

RICHARD HOUGHTON, OF RIDLEY, THE YOUNGER.

(Second Series, Vol. xxxviii., No. 2, 170, fols. 481, &c.)

fo. 481. Delinquency, in arms against the Parliament in the first war. He petitioned 17 April, 1649, and compounded upon a particular which disclosed that he was seized in fee to him and his heirs of one messuage and lands in Taunton, in the parish of Ashton-under-Lyne, of the yearly value of £20, but he alleged that his father, by his will and an indenture, charged the said lands with £300. It further appeared that compounder had sold the lands since his delinquency in 1646 to one William Walker for £326, and paid the legacies of £300. Fine £60. (22 May, 1649.)

fo. 484. Petition.

fo. 485. Particular, in which compounder stated he had a wife and many small children.

fo. 487. Affidavit of John Sandford, of Highashes, gent., "that he had read the Will of Gilbert Houghton, late of Taunton Gent. and also seen and read the Indenture, by which he charged the messuage &c in Taunton with

£300, to be raised after his decease by his brother Edward Houghton and one Thomas Fish his brother in law as feoffees in trust for the use of six of his younger children, before the said messuage should come into the possession of his eldest son Richard, the compounder, that his father had left him a great personal estate which had been nearly all sequestered and that he deponent believed compounder was not then worth 40^s.

fo. 489. Affidavit of compounder that he was not worth £200. No alteration in amount of fine.

Sir Richard Houghton, Bart.¹

(First Series, Vol. xxxi., No. —, fols. 325, &c.)

fo. 325. Petition, which shewed that petitioner's father had made several leases to several persons of several tenements, among others to one Margery Shorte, widow, papist, another to one Thomas Bannester, a recusant, another to one Thomas Hothershall, and another to one Edward Award; the said tenements had been sequestered for the respective recusancies of the several parties; that they were then all dead, and that these tenements had reverted to petitioner as his of right; that the said tenements were respectively under the value of 40s. a year, yet the Sequestrators in the County, contrary to orders from above, refused to discharge the same from sequestration. He therefore prayed for an order calling upon the Lancashire Commissioners to examine into the value of the several tenements and to certify, &c. (13 March, 1654[-5]). "Referred to the Com^{rs} to examine & certifie & M^r Reading to report."

fo. 329. Petition (21 September, 1653).

fo. 337. Petition (23 November, 1653).

fo. 340. Order of the Lancashire Commissioners, 31

¹ Second son of Sir Gilbert Houghton, whom he succeeded as third baronet in 1647. He was M.P. for Lancashire in 1646-8 and 1656-8.

January, 1649[-50], discharging a tenement in Walton called Catterals, the inheritance of Sir Richard Houghton, Bart., signed by Peter Egerton, Edw : Butterworth, Nicholas Cunliffe.

fo. 342. Petition as to Margerie Short's tenement (17 March, 1652[-3]).

fo. 345. Petition (6 April, 1653) relating to a messuage lying in Elston sequestered for the recusancy of Robt. Hothersall.

fo. 347. Petition relating to a messuage sequestered for the recusancy of Thomas Banester, then deceased (6 April, 1653).

fo. 354. Petition relating to a tenement in Grimsargh leased for lives to one Thomas Cossen (25 February, 1651[2]).

fo. 355. Petition relating to Thomas Banester's holding (26 May, 1652).

fo. 357. Petition relating to Robt. Hothersall's tenement (17 November, 1652).

(First Series, Vol. xcvi., No. 3,859, fols. 453, &c.)

Communication from the Lancashire Commissioners, dated at Preston 11 February, 1652[-3], touching a messuage and tenement in Elston in Grimsargh, then late in the possession of one Robert Hothersall deceased, enclosing copies of examinations taken and mentioning that the messuage had been sequestered for the recusancy of the said Hothersall.

fo. 453. Interrogatories administered to John Hothersall, son of Robert, and his replies.

Thomas Houghton, of Houghton, Gent.¹

(Second Series, Vol. xl., No. 2,326, fols. 357, &c.)

fo. 357. Delinquency, in arms against the Parliament

¹ Third son of Thomas Houghton and Anne, daughter of Henry Kighley, of Kighley. His eldest brother was Sir Richard Houghton, first baronet.

in the first war. He petitioned 28 April, 1649, and compounded upon a particular which disclosed that he was possessed of the remainder of a lease for two years and five months of a messuage and lands in Hoghton by virtue of lease, dated 6 March, 27 Elizabeth [1585], made by Thomas Hoghton, of the Ley, in the said county, Esq., unto Richard Hoghton, compounder's grandfather, and Elizabeth his wife, for their lives and 40 years after, under the rent of 55s. 8d., and compounder affirmed that Elizabeth, the grandmother (who survived the said Richard), died 26 October, 1611, and he stated that the reversion after the above-mentioned term is in Sir Richard Houghton, a member of the Hon. House of Commons. The said lands were worth yearly £7. Fine, £2. 10s. (12 June, 1649.)

fo. 360. Petition, in which compounder is described as of Cawsey in Hoghton.

fo. 361. Particular.

William Houghton, of Grimsargh, Gent.¹

(Second Series, Vol. lii., No. 3,426, fols. 189, &c.)

fo. 189. Report of Mr. Brereton, by which it appeared that petitioner was one of the persons included in the Act for the Sale of Lands forfeited for Treason. The survey of his estate was returned 8 March, 1652[-3], and a copy transmitted to the Committee 25 March, 1653. He petitioned 1 April, 1653, and by a particular then exhibited he desired to compound for a messuage called Blackall, with several parcels of land thereunto belonging, and two closes of land called Birch Leyes and Black acre, all situate in Chipping, worth yearly £15. 18s., also several other messuages, cottages, and lands in Chipping, in lease for one, two, and three lives, under the yearly rent of £5. 4s. 1d., but

¹ Son of William Houghton, of Grimsargh, Esq., and nephew of Thomas Houghton mentioned in the preceding paper.

worth, upon improvement, £67. 5s. 8d. per annum. Fine, £178. 14s. 6d. (19 April, 1653.)

fo. 191. Order of reference to Mr. Brereton.

fo. 194. Receipt, dated 22 June, 1653, signed by Richard Sherwyn and John Leech, for £89. 7s. 3d. (being a moiety of the fine).

fo. 196. Petition.

fo. 197. Particular.

(First Series, Vol. xxv., No. —, fols. 254, &c.)

fo. 254. Petition from Edward French, of Preston, gent., by which it appeared that the Commissioners for Sequestrations for the County of Lancaster, according to instructions, had surveyed the estate of William Hoghton, of Grimzargh, gent., a delinquent. Petitioner at the time the said estate was let (for a term of 7 years) "bid at the box" for all that capital messuage and tenement, with the appurtenances, lying in Grimsargh, containing by estimation 80 acres, the sum of £10. 5s. per annum; he being the highest bidder, the Lancashire Commissioners leased the same to him, upon such conditions, &c., as were in the said lease mentioned, to commence from 2 February then last. Petitioner, having been at great charge in fencing and repairing the premises, prayed for a confirmation (13 April, 1653). "The delinq^t is in y^e bill of sale & therefore we cannot graunt w^t is desired."

(First Series, Vol. xxxi., No. —, fol. 322, &c.)

fo. 322. Contract for sale and order to take possession of a capital messuage or mansion house called the Lodge, with several tenements and lands and their appurtenances, lying in Warton, in the parish of Kirkham, and a capital messuage and other tenements, with the appurtenances, called Grimsargh Hall, in the parish of Preston, in the several occupation of Wm. Houghton, Hellen Robinson,

Thomas Hudman,¹ Gilbert Grigson, Eliza: Couzan, Richard Ree, John Fishwicke, Nicholas Comelach, and Robert Boyne, their, or some of their, assigns, late parcel of the estate of William Houghton, gent. Purchasers, Edw. French and Richard Singleton. Date, 18 May, 1653.

fo. 350. Petition (1 April, 1653).

William Houghton, of Park Hall, Esq.

(First Series, Vol. c., No. 4,059, fols. 603, &c.)

fo. 603. Letter, dated at Preston 15 May, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that, in obedience of an order of the first of May then last, made upon the petition of Abdias Pemberton, of Wrightington, they had examined witnesses in proof of the deed in the said order mentioned (copies enclosed), and they certified that having been informed that the lands in the said deed mentioned were part of the estate of William Houghton, Esq., then deceased, a delinquent, and were only mortgaged to petitioner, they, by an order of 12 April then last, gave directions for the securing thereof according to instructions from above in like cases.

fo. 605. Examinations taken at Preston, May 10, 1651, of Richard Benson, of Shevington, and of John Pemberton, of Heskyn, gentleman.

fo. 607. Letter dated at Preston 9th April, 1652.

(First Series, Vol. lii., No. 1,630, fols. 727, &c.)

fo. 727. Petition from Abdias Pemberton, of Wrightington, currier, which disclosed that previously he had petitioned for the allowance of a deed of mortgage from Mr. Houghton, of Parkehall, co: Lanc., which deed had been before the London Commissioners and allowed, and thereupon an order had issued, directed to the Agents in Lanc. to certify the annual value of the land, which they did, and

¹ May be Hurdman or Hardman.

copies were annexed to the petition. He therefore prayed for a discharge of the land in mortgage. On reading this and previous proceedings, the Commissioners made an order absolute for the discharge of the lands, and arrears to be paid to petitioner from the date of his first petition (30 June, 1652).

fo. 733. Report in this case by Mr. Reading, 28 August, 1651.

fo. 735. Order referring case to Mr. Reading. Communication, dated at Preston, 10 May, 1652, signed by Peter Holt, Robert Cunliffe, and G. Pigott, mentioning the proceedings they had taken, enclosing copies of examinations and other points in the case.

fo. 741. Examination of Richard Benson, of Shevington, husbandman, and of John Pemberton, of Heskyn.

fo. 743. Petition (1 May, 1651).

fo. 745. Affidavit of petitioner.

(First Series, Vol. lii., No. 1,626, fol. 525.)

fo. 525. Petition from William Parkinson, of Garstang, gent., on behalf of the children of John Fyfe, deceased, which shewed that one Roger Houghton, of Garstang, in the county of Lancaster, was in his lifetime possessed of a small tenement with some land thereunto belonging, lying in Garstang and in Pilling Mosse, for a term of years then yet to come, and that he assigned part of his term to one John Swynborne, and subsequently sold the remainder of his term to John Fyfe. Houghton also possessed a close of ground called Newfield, situate in Garstang, for a certain number of years. He assigned part of his term in this to one William Houghton, and sold the remainder of his term to the said John Fyfe. That notwithstanding that the several terms granted to Swinbourne and Houghton had expired, and the remainder of Houghton's estate ought to have come to petitioner for the benefit of the children of Fyfe, yet two third parts of the premises were kept under sequestration for the recusancy of Ellen, widow of the said

John Swinbourne, and of William Houghton, the Lancashire Commissioners refusing to discharge the same from sequestration without an order from above. Petitioner therefore prayed for an order of discharge, or to examine petitioner's title, 16 May, 1655. "Discharged if under the value of 40s. annually, due proof of title being first made before the Commissioners below."

John How, of St. Ellins.

(First Series, Vol. xxix., No. 907, fol. 575.)

fo. 575. Certificate (printed), dated 5 July, 1654, signed by Jo: Nye, Reg^r, exhibiting that Mr. How was a person qualified to preach the Gospel, and therefore fit to receive such augmentation as had been formerly settled upon him or the place where he preached.

Bryan Howard, of Parr, Deoman.

(First Series, Vol. xxx., No. 947, fol. 892.)

fo. 892. Petition, which shewed that two thirds of petitioner's estate were under sequestration for his recusancy only. He prayed that he might be admitted to contract for the same in accordance with the provisions of the Act.

Edward Howards, Junior, Gent.

(First Series, Vol. xxx., No. 947, fol. 887.)

fo. 887. Contract by William Layton, gent. (order to take possession dated 24 December, 1654), for the purchase of a messuage or tenement, with lands and the appurtenances thereunto belonging, lying in Thattoheath, Eccleston, co. Lancaster, parcel of the estate of the above Edward Howards.

John Hudson, of Barnaker, Husbandman.

(Second Series, Vol. liv., No. 3,616, fols. 506, &c.)

fo. 506. Petition, in which it is stated the delinquency was from having been in arms against the Parliament.

fo. 509. Particular, which discloses that petitioner was seized for term of life and two lives in a tenement, with certain lands lying in Barnacar, worth £3. 5s. od. a year. Fine £6. 10s. (12 May, 1649.)

Robert Hulm.

(First Series, Vol. xlviii., No. 3,866, fols. 519, &c.)

fo. 521. Communication from the Lancashire Commissioners, dated at Preston 21st October, 1652, mentioning that by an order of the 6th of July, touching a petition of Raph Sephton, whose case had been formerly certified, they were required to certify, by the directions of the Commissioners above in an order of the 10th February, 1651[-2], why one Robert Hulm, named in the former certificate, was returned to be only sequestered for recusancy, it appearing to the Commissioners above that he was a papist delinquent. They stated that they had examined their Agent upon oath touching the same, who affirmed that he had seen several accounts made by the former Agents in Derby Hundred, wherein he only found two third parts of the said Robert Hulm's estate sequestered for recusancy since the year 1643, and in 1651, when he acted alone in that division, he found only two thirds of the estate under sequestration, and he never heard any other cause of sequestration of the said Hulm but only recusancy, as by his examinations appeared, and that they found in any of the former Committees' Books no order after 1645 for sequestration of his estate; they mentioned also that they had enclosed the examination of John Hitchmough.

fo. 519. Examination of John Hitchmough and John Case. The point in this case was, that Hulm held a tenement from Mr. Norres, of Speak, for his own life and that of Elizabeth, wife of Edward Almond; it was sequestered; Hulm dying, and Elizabeth Almond also dying three days after him, Mr. Norres leased the premises to Raph Sephton.

William Hulme.

(First Series, Vol. xxxii., No. 998, fol. 249.)

fo. 249. Petition, which shewed that petitioner's deceased father had been seized for life in an interest in the slate mine or delph situate in Billington, co. Lanc., remainder whereof to petitioner and his heirs. The same mine or delph had been sequestered for his father's delinquency and at time of petition remained under sequestration. As petitioner's father had a life interest only in the mine, and petitioner himself had ever been faithful to the Parliament, and had done good service to the State, he prayed that the sequestration might be removed, and that he, petitioner, might be established in his just right and interest in the said mine or delph (20 November, 1651). "The Com^{rs} to examine & certify & thereupon further ord^r."

William Hutchins, B.D.¹

(First Series, Vol. ix., No. 244, fols. 585, &c.)

fo. 585. Petition from Benj. Boulton, of Knowsley, by which it appeared that petitioner's uncle, Wm. Hutchins, then late of the University of Oxon, Bachelor in Divinity, was seized of a small estate in Lancashire, which in his lifetime had been seized and farmed, and after his death seques-

¹ He was Fellow and Vice-Principal of Brazenose College, Oxford, and rector of Gawsworth in Cheshire from 1630 to 1643, when he was ejected. He died about 1647.

tered for some delinquency charged against him ; by his will he devised to petitioner and others of his poor relations several small legacies and nominated Richard Sherle his executor, who renounced the execution of the said will, whereupon petitioner administered and sued forth letters of administration to enable him to discharge the said legacies out of part of his personal estate, and discovered that his real estate had been sequestered. He prayed, as his uncle was not sequestered in his lifetime, that he, petitioner, might be admitted to compound for the small estate named in a particular. "18 February, 1651[-2]. To bring in a particular of his estate and then referred to Mr. Reading to report for a Composition."

fo. 587. Similar petition.

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